MEMORANDUM

Date: April 14, 2014

To: The Honorable Chair and Members
Pima County Board of Supervisors

From: C.H. Huckelberry
County Administrator

Re: Indigent Defense Costs in Pima County

In previous memoranda to the Board, I have discussed the Sheriff’s Department and cost components of Sheriff operations, including significant increased costs as compared to budget. While the Sheriff is the largest expense component of our justice and law enforcement system, another large cost element that has been historically over budget is indigent defense.

Indigent defense is provided through a variety of County departments and agencies such as the Public Defender, Legal Defender, Office of Children’s Counsel and the Mental Health Defender. In addition, contracts with outside attorneys for indigent defense services are entered into by the Office of Court Appointed Counsel. In Fiscal Year (FY) 2012/13, $28 million was spent on indigent defense, plus another $2 million over budget. This entire budget exceedance occurred in contract attorney expenses, which are the primary safety valve for providing indigent defense services when internal services provided by the Public Defender and Legal Defender are at their maximum capacity.

Assistant County Administrator Ellen Wheeler prepared a comprehensive evaluation and report on indigent services. Ms. Wheeler’s report is attached for your information.

One of the single largest areas of budget exceedance in contract attorney expenditures occurs in the areas of dependency and severance of parental rights. In FY 2012/13, a total of $5.8 million was spent on dependency cases, as compared to an expenditure of $4.5 million in FY 2010/11. It is likely the number of dependency petitions will continue to increase substantially given the present State focus on child abuse and the reorganization and increased investment in child protective services. The new State agency, Child Safety and Family Services, has increased funding to pursue allegations of abuse; which will, in turn, lead to more dependency and severance filings and, therefore, increased indigent defense costs.

A hidden cost of justice and law enforcement is in the area of information technology. There has been a revolutionary transformation from paper files to electronic files for justice and law enforcement agencies, including indigent defense. In recent years, the County has
moved from filing cabinets to network-accessible storage on the County network. This has evolved from simply storing documents to storing audio recordings of meetings, video recordings of depositions, close-captioned camera monitoring systems and similar data. The data we are now storing has grown from 25 terabytes (the equivalent of 500,000 four-drawer file cabinets) in 2006 to 500 terabytes today.

The area of fastest growth of information technology and data storage is justice and law enforcement, with an annual growth of over 50 percent. This year, I will be asking the Board in the budget to consider adding $2 million for additional data storage capacity, most of which is required by justice and law enforcement agencies, including indigent defense. While there is a direct budget exceedance of $2 million by indigent defense today, there is also another $1 million in related information technology storage requirements, which further adds to the cost of providing indigent defense services within Pima County.

The cost associated with Pima County’s justice and law enforcement function is the primary driver of the County budget. Unavoidable costs have been incurred in the recent past, leading to substantial and significant budget exceedances in this service area. Most County taxpayers do not want or need the services of our justice and law enforcement agencies; however, they are essential expenditures in maintaining public safety.

The indigent defense costs of the County for the coming budget year with increase by at least $2 million, whether funded or not. Some may complain about these increased costs, but they are unavoidable.

CHH/mjk
Attachment

c: Martin Willett, Chief Deputy County Administrator
   Hank Atha, Deputy County Administrator for Community & Economic Development
   John Bernal, Deputy County Administrator for Public Works
   Jan Lesher, Deputy County Administrator for Medical & Health Services
   Ellen Wheeler, Assistant County Administrator
BACKGROUND

The Right to Court-Appointed Counsel in Arizona

Indigent individuals have a right to legal representation at government expense in criminal proceedings in which they are at risk of incarceration and in certain other proceedings affecting fundamental civil rights. In Arizona, these expenses are largely borne by the counties.

The right to legal counsel in criminal proceedings is a fundamental right under the Sixth and Fourteenth Amendments of the U.S. Constitution and Article 2, Section 24, of the Arizona Constitution. In 1963, the U.S. Supreme Court ruled that a state must provide counsel at government expense to a defendant charged with a felony who cannot afford to hire an attorney. *Gideon v. Wainwright*, 372 U.S. 335 (1963).

Since that time, the right to court-appointed counsel for indigent parties has been extended by the courts and the Arizona Legislature to other types of cases where an individual’s fundamental rights are involved:

- Juveniles charged with delinquency have a right to appointed counsel if indigent. *In re Gault*, 387 U.S. 1 (1967) and A.R.S. § 8-221;
- Indigent defendants charged with misdemeanors are entitled to appointed counsel if they are at risk for jail sentences. *Argersinger v. Hamlin*, 407 U.S. 25 (1972).
- Indigent juveniles involved in dependency and severance of parental rights proceedings in Juvenile Court are entitled to a court-appointed attorney or Guardian Ad Litem under ARS § 8-221. In Pima County it is the Court’s practice to appoint attorneys for the children. Parents in dependency and severance proceedings in Juvenile Court are entitled to court-appointed counsel under ARS §8-221 and *Daniel Y. v. Arizona Department of Economic Security*, 206 Ariz. 257, 77 P.3d 55, 58 (App. 2003).
- Individuals at risk of involuntary commitment for mental health treatment have a right to appointed counsel under various provisions of Title 36 of the Arizona Revised Statutes.

Definition of Indigence

Indigence is defined in Pima County as annual income that is less than 133% of the annual Health and Human Services Poverty Guidelines. The income level established for indigence depends on the

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1 A child is judged dependent on the state if he or she does not have a parent willing or able to provide proper care, has not been provided the basic necessities of life, or if his or her home is unfit due to abuse or neglect. Dependency petitions are most often filed by the state but can be filed by any interested party.
individual’s household size. At present, an individual in a single-person household is considered indigent if his annual income is $15,282 or less; the same individual is considered “quasi-indigent” if his income is between $15,283 and $30,563. The distinction between indigence and quasi-indigence is relevant to the amount of attorney’s fees that the defendant will be ordered to pay. If that person’s income is more than $30,563, he would not generally be entitled to counsel at state expense. A defendant with a household of four would be considered indigent with income of $31,322 or less, quasi-indigent with income between $31,323 and $62,643, and not entitled to appointed counsel with an income greater than $62,643.

Defendants who say they cannot afford to hire an attorney must provide a financial statement under oath and an authorization for release of financial information to the court, which makes the determination of indigence and appoints counsel. The Superior Court, Juvenile Court and Justice Court all appoint attorneys to represent indigent individuals in proceedings before them where the right to counsel exists.

When a court makes a determination of indigence and appoints counsel, it also generally orders the individual to pay an assessment for attorney’s fees, depending on the type of case and the person’s level of income. Assessment and collection of fees is discussed on page 6 of this memo.

Delivery of Legal Services to Indigent Individuals

Each county in Arizona is responsible for providing and paying the expense of court-appointed counsel in that county under A.R.S. §13-4013. The state adds a small amount of funding (most of which is generated by state surcharges on criminal and traffic fees and fines). For example, in fiscal 2008, the total expenditure for indigent defense by all counties in Arizona was $120,942,184, and the state contributed an additional $1,149,300, according to an American Bar Association report.²

Pima County meets its obligations to provide legal counsel to indigent individuals in several ways:

- **The Public Defender’s Office**, established in 1970, which presently has a staff of 80 lawyers and 79 non-lawyers, provides representation to individuals charged with felonies, probation revocations, and in appeals and petitions for post-conviction relief. The Public Defender also has a juvenile defense office representing juveniles in delinquency proceedings. New felony and juvenile delinquency cases are assigned to the Public Defender unless that office has an ethical conflict (for example, because it represents another party in the same case) or has reached caseload limits.³

- **The Legal Defender’s Office**, established in 1987, with 22 attorneys and 21 non-attorney positions, also represents individuals in felonies, probation revocation, post-conviction relief and

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² *State, County and Local Expenditures for Indigent Defense Services Fiscal Year 2008*, American Bar Association, November 2010.

³ In *State v. Joe U. Smith*, 140 Ariz. 355 (1984), the Arizona Supreme Court set maximum caseload limits for indigent defense attorneys. The maximum established for felonies was 150 per lawyer per year.
appeals. It is appointed in cases in which the Public Defender’s Office has a conflict or has reached case limits established by the courts.

- **The Office of Court-Appointed Counsel (OCAC)** contracts with attorneys in private practice to handle a variety of cases in which the Public Defender and Legal Defender have a conflict (e.g., multiple defendant cases) or are already at capacity. OCAC-contracted attorneys also are appointed in misdemeanor cases where the defendant is at risk of incarceration, in Juvenile Court dependency and severance cases to represent children or parents, and to represent incapacitated persons in guardianship proceedings if the Public Fiduciary cannot take the case.

- **Office of Children’s Counsel**, created in the 2010-11 fiscal year, with 10 attorneys full time, an attorney-director who handles cases half time, five social workers and eight other staff positions, represents children in dependency cases.

- **Office of Mental Health Defender**, created in 2011-12, has four lawyers and two paralegals. It represents individuals facing involuntary commitment or mental health treatment under Title 36 of Arizona Revised Statutes.

**INDIGENT DEFENSE COSTS**

In 2012-13, Pima County expended $28,075,954 on indigent defense, and the state of Arizona provided $395,003. The 2012-13 expenditures were $1.85 million over budget but only $96,887 over the prior fiscal year’s actual expenditures of $27,979,067. The excess in expenditures over budget in 2012-13 occurred in the area of contract attorneys, which at $9,259,186 exceeded budget by $1,951,880. (The other departments within Indigent Defense, including OCAC administration, were either under budget or close to budget.) Contract attorney expenses have exceeded budget consistently over the years and don’t appear likely to go down in the future.

FY 2012-13 expenditures were comparable to those in FY 2008-09, which at $28,056,019 represented the highest annual level of spending on indigent defense prior to FY 2012-13. The county’s 2012-13 expenditures were partially offset by $1,274,736 deposited into the General Fund as a result of payments of attorney’s fees and court fees by the individuals who were provided counsel; these payments result from assessments ordered by the court at the time counsel was appointed. In 2011-12, a total of $27,979,067 from the General Fund was spend on indigent defense, supplemented by $413,983 in state funding. Another $1,330,789 was recovered from payments from defendants.

It is difficult to identify trends or consistent patterns that can be used to accurately predict future costs of indigent defense, but there is a mix of factors that undoubtedly affect costs in any given year. Among them are crime levels; law enforcement policies and staffing levels; attention to certain types of crimes, including child abuse and neglect; charging and plea decisions by the County Attorney’s Office; the complexity of individual cases; population growth; the availability of social services for families and youth; and even the ability of individual defendants to afford private counsel.
Dependency cases

The single largest component of the excess in expenditures over budget in 2012-13 is the cost to OCAC of contracted defense attorneys for Juvenile Court proceedings. A total of $4,480,963 was spent in 2012-13 on contracted attorneys for Juvenile Court (and related costs such as court reporters), which was $1,357,002 over the budgeted amount of $3,123,961. The lion’s share of the expenditures (about $3.7 million) was for dependency cases.

In addition to OCAC’s expense for contracted attorneys at Juvenile Court, the Office of Children’s Counsel’s expenditures in 2012-13 were $1,361,207, for a total expense for contract attorneys and OCC of $5,842,170 (compared to total budget of $4,446,996)\(^4\).

An increase in Juvenile Court defense expenditures by the county (mostly for dependency and related proceedings) since 2010-11 correlates with a sharp increase in dependency filings over that period:

<table>
<thead>
<tr>
<th>Dependency petitions</th>
<th>Contract and OCC defense cost at Juvenile Court</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010-11 982</td>
<td>Total: $4,552,243</td>
</tr>
<tr>
<td></td>
<td>Contract Attorneys: 3,956,103</td>
</tr>
<tr>
<td></td>
<td>OCC: 596,140</td>
</tr>
<tr>
<td>2011-12 1202</td>
<td>Total: $5,303,906</td>
</tr>
<tr>
<td></td>
<td>Contract Attorneys: 4,175,190</td>
</tr>
<tr>
<td></td>
<td>OCC: 1,128,716</td>
</tr>
<tr>
<td>2012-13 1445</td>
<td>Total: $5,842,170</td>
</tr>
<tr>
<td></td>
<td>Contract Attorneys: 4,480,963</td>
</tr>
<tr>
<td></td>
<td>OCC: 1,361,207</td>
</tr>
</tbody>
</table>

For the first seven months of FY 2013-14, a total of 771 petitions for dependency were filed, which at an average of 110 per month is down slightly from the average of 120 per month in 2012-13. However, the January 2014 filings were at 123, up from 93 in December. It is likely that the number of dependency petitions will continue to climb, given the renewed state focus on child abuse in the wake of reports that Child Protective Services failed to investigate some abuse allegations. The new office of Child Safety and Family Services will apparently have increased funding to pursue allegations of abuse, which in turn will

\(^4\) This total includes about $200,000 spent for contract attorneys in juvenile delinquency proceedings but does not include the portion of the Public Defender’s budget that is allocated to juvenile delinquency defense.
likely lead to more dependency and severance filings. There are reportedly some 650 older reports of abuse and neglect in Pima County that went uninvestigated, as well as a larger backlog of abuse reports.

Since it is likely that dependency case numbers and defense costs will continue to increase, it would be appropriate for the county to determine a more realistic level of funding for contract attorneys in dependency proceedings and adjust the budget accordingly for future years.

Other factors

- **Felony cases filed** in Superior Court have increased significantly over the last four years, from 4,860 in 2009-10 to 5,702 in 2012-13, according to court records. Pima County Attorney Barbara La Wall attributes the increase to more law enforcement officers and better detective work by law enforcement, resulting in an increase of felony arrests and cases presented to her office for prosecution. The County Attorney also notes that the crime rate in Pima County is higher than in Maricopa County or the rest of the state. She predicts that felony filings will exceed 6,200 in 2013-14 for the first time.

- **Trial rates** (measured by trials as a percentage of total case dispositions each year) are consistently higher in Pima County than in other counties in Arizona. For example, the trial rate was 6.8 percent in 2012-13 in Pima County, compared with Maricopa County’s rate of 1.8 percent in 2012, and a 2.1 percent average rate for all other Arizona counties. Pima County’s trial rate in 2012-13 was down from 9.2 percent in 2011-12. The Pima County Attorney has made it a priority to take cases involving violent crimes to trial — in fiscal 2012-13, a total of 70.4 percent of all felony trials involved defendants charged with violent crimes. The County Attorney’s office also believes that its trial rate is higher than some jurisdictions because it is judicious in charging criminal cases and does not bring cases based on questionable evidence that eventually must be dismissed.

- **Total arrests** in Pima County declined each year from 2009 to 2012, running counter to the trend in felony filings and cases presented for prosecution. There were 57,098 arrests of adults in Pima County in 2009, compared with 39,681 adult arrests in 2012, according to the Arizona Department of Public Safety’s Crime in Arizona reports. But cases presented by law enforcement to the county attorney for prosecution increased from 2009-10 through 2012-13.

- **Court officials** have anecdotally suggested other trends that have increased caseloads, such as statutory changes to make some former misdemeanor offenses felonies and more prosecutions by the Arizona Department of Corrections for violations by inmates that used to be handled administratively. Court statistics also show an increase in drug sales and trafficking cases from 2010-11 to 2012-13.

- **Indigent Defense offices** have also suggested that the level of complexity and volume of evidence in some of their cases have increased and made some cases more time-intensive.
It is hard to judge the impact of any one of these factors on defense costs. The total cost of indigent defense (primarily contract attorneys) dropped by about $1 million from fiscal 2008-09 to 2009-10 and again slightly in 2010-11, before starting to increase again in 2011-12. This tends to support a correlation between increasing felony filings and increased overall defense costs. The Public Defender's Office notes that a lower caseload translates to lower case-related expenditures on expert witnesses, witness travel, medical records, etc., and says its attorneys were able to represent misdemeanor defendants when the felony caseload dropped from 2009 to 2011, which saved contract attorney costs during those years. Some open positions were also left vacant until caseloads justified filling them. While the cost of trials probably does contribute to the total costs of defense, it doesn't appear to be a major factor, given that trial rates have generally decreased since the mid-1990s, while indigent defense costs have gradually and consistently increased.

ASSESSMENT AND COLLECTION OF FEES

When an attorney is appointed by the court to represent an indigent party, the court generally assesses an amount to be paid by the party toward attorney’s fees and certain other court fees. Each court maintains a schedule of assessments based on the individual’s income level and family size. The current assessment schedules for Superior Court, Juvenile Court and Justice Court are attached.

As noted above, the county has generated significant revenue from this source — around $1 million or more every year since 2004-05. Recent totals are $1,274,736 in FY 2012-13, $1,330,789 in FY 2011-12, and $1,228,839 in 2011-12. At the same time, the amount collected is only a fraction of the costs incurred. Attorney's fees have a relatively low priority for payment among all the amounts a party is ordered to pay, coming after all restitution, a time payment fee, certain state fees, and probation fees.

In FY 2012-13, Pima County Consolidated Justice Courts collected $373,450 in fees, compared with $1,041,429 in contract attorney costs, which is the total amount incurred by the county for indigent defense costs in PCCJC. Green Valley Justice Court collected $14,870, compared with $23,063 in expenses.

Superior Court collected $519,256 in revenue, and Juvenile Court collected about $367,160 in revenues. The amounts collected are a small fraction of the overall costs, which include in-house counsel at the Public Defender, Legal Defender, and OCC, as well as contract attorneys. By statute, these assessments are intended to “supplement, not supplant, funding provided by counties for public defense, legal defense and contract indigent defense counsel in each county.” A.R.S. § 11-584(E). At the same time, it has been suggested by the Office of Court-Appointed Counsel that a review of the amounts assessed and procedures for adjusting or waiving those amounts might be appropriate.

SERVICE DELIVERY MODEL

The county provides indigent defense services through a mix of in-house attorneys and contract attorneys. There will always be a need for contract attorneys for cases in which the in-house counsel have ethical conflicts or if they reach the maximum allowable caseloads. The question is whether
and/or when it would be more cost-effective to add in-house legal capacity rather than maintaining the current mix.

It is difficult to reach conclusions about the most cost-effective approach based on available data. Indigent Defense has generated some cost-per-case data for various types of cases, but it is preliminary, and more work needs to be done to ensure that we can rely on the cost comparisons. Some data might be unreliable because of problems in migrating data to a new electronic case management system in 2012 and 2013. It would be especially useful to have valid cost comparisons for representation in dependency cases, given the caseload increases in that area.

RECOMMENDATIONS

In summary, many factors that are largely beyond the control of the County Administration and Indigent Defense offices contribute to the total costs of indigent legal services. Among those factors are the rapidly increasing numbers of dependency cases at Juvenile Court and, secondarily, felony filings at Superior Court, both of which are tied to other societal and law enforcement factors. That said, some steps can be taken to budget more accurately and ensure the County manages costs as effectively as possible and maximizes revenues, including:

- Indigent defense costs for dependency and related proceedings at Juvenile Court should be budgeted more realistically based on recent actual expenses, as it appears that dependency cases will continue to increase for at least the next few years.

- OCAC and the Juvenile Court should ensure that the Office of Children’s Counsel has a full caseload and is considered as the first option for appointment to represent children to reduce contract attorney costs. It might also be beneficial for OCAC to have an increased role in managing contract attorneys in cooperation with the Juvenile Court, and discussions regarding that issue are under way.

- Data on caseloads and costs should be refined and evaluated by all the Indigent Defense offices in order to develop reliable costs per case, evaluate the capacity of in-house legal services, and ultimately determine whether additional in-house capacity would be cost-effective. That type of data is currently being collected by Indigent Defense but requires further analysis and verification.

- It would be appropriate to evaluate the assessment and collections of attorney’s fees that indigent individuals are ordered to pay in an effort to increase revenues. OCAC has suggested the standard assessments might be raised for some case types, and that a review of court practices for adjustment or waiver of assessments might also be appropriate. Collections processes and their effectiveness should also be reviewed.
• OCAC should continue to periodically review and adjust the standard rates paid to contract attorneys.
# 2013 Attorney Fee Assessment Schedule for Court-Appointed Attorneys

Indigence is defined as annual income less than 133% of the 2013 Health and Human Services Poverty Guidelines.

Quasi-Indigence is annual income between 133% and 266% of the 2013 Health and Human Services Poverty Guidelines.

Any person who requests a court-appointed attorney will be charged a $25 Indigent Administrative Assessment in addition to the attorney fee assessment.

## Indigence

<table>
<thead>
<tr>
<th>Size of Household</th>
<th>Income is between:</th>
<th>Attorney fee assessment is:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>0 - 15,282</td>
<td>400</td>
</tr>
<tr>
<td>2</td>
<td>0 - 20,628</td>
<td>400</td>
</tr>
<tr>
<td>3</td>
<td>0 - 25,975</td>
<td>400</td>
</tr>
<tr>
<td>4</td>
<td>0 - 31,322</td>
<td>400</td>
</tr>
<tr>
<td>5</td>
<td>0 - 36,668</td>
<td>400</td>
</tr>
<tr>
<td>6</td>
<td>0 - 42,015</td>
<td>400</td>
</tr>
<tr>
<td>7</td>
<td>0 - 47,361</td>
<td>400</td>
</tr>
<tr>
<td>8</td>
<td>0 - 52,708</td>
<td>400</td>
</tr>
</tbody>
</table>

**Group A** includes all Class 2,3,4,5, and 6 felonies not listed in Group B.

**Group B** includes cases where the charges against the defendant include the following Class 2 and 3 felonies: attempted murder, second degree homicide, manslaughter, negligent homicide, drive-by shooting, arson of an occupied structure, sexual offenses pursuant to Chapter 14 involving child victims or multiple victims, armed robbery and dangerous crimes against children.

Indigent Defense will update this chart annually to reflect changes to the Federal Poverty Guidelines and/or changes to the base rates for contract attorneys.

Last updated: 07/03/13
Admin\Contract\Felony\Attorney Fee Chart 2013
2013 ATTORNEY FEE ASSESSMENT SCHEDULE FOR MISDEMEANOR COURT-APPOINTED ATTORNEYS

Indigence is defined as annual income less than 133% of the 2013 Health and Human Services Poverty Guidelines. Quasi-Indigence is annual income between 133% and 266% of the 2013 Health and Human Services Poverty Guidelines. Any person who requests a court-appointed attorney will be charged a $25 Indigent Administrative Assessment in addition to the attorney fee assessment.

<table>
<thead>
<tr>
<th>Size of Household</th>
<th>If income is between:</th>
<th>Attorney fee is:</th>
<th>Size of Household</th>
<th>If income is between:</th>
<th>Attorney fee is:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>0 - 15,282</td>
<td>350</td>
<td>250</td>
<td>2</td>
<td>20,629 - 41,257</td>
</tr>
<tr>
<td>2</td>
<td>0 - 20,628</td>
<td>350</td>
<td>250</td>
<td>3</td>
<td>25,976 - 51,950</td>
</tr>
<tr>
<td>3</td>
<td>0 - 25,975</td>
<td>350</td>
<td>250</td>
<td>4</td>
<td>31,323 - 62,643</td>
</tr>
<tr>
<td>4</td>
<td>0 - 31,322</td>
<td>350</td>
<td>250</td>
<td>5</td>
<td>36,669 - 73,336</td>
</tr>
<tr>
<td>5</td>
<td>0 - 36,668</td>
<td>350</td>
<td>250</td>
<td>6</td>
<td>42,016 - 84,029</td>
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<tr>
<td>6</td>
<td>0 - 42,015</td>
<td>350</td>
<td>250</td>
<td>7</td>
<td>47,362 - 94,723</td>
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<tr>
<td>7</td>
<td>0 - 47,361</td>
<td>350</td>
<td>250</td>
<td>8</td>
<td>52,709 - 105,416</td>
</tr>
</tbody>
</table>

Indigent Defense will update this chart annually to reflect changes to the Federal Poverty Guidelines and/or changes to the base rates for contract attorneys.

Last updated: 07/03/13
Admin\Contract\Misdemeanor\Attorney Fee Chart 2013
## JUVENILE COURT SLIDING FEE SCALE 2013

<table>
<thead>
<tr>
<th>Income Class</th>
<th>DelAttn Fees</th>
<th>Dep/Sev Attn Fees</th>
<th>Dep/Attn Fees Year 2+</th>
<th>VOP Attn Fees</th>
<th>Det Fees</th>
<th>Prob Fees</th>
<th>Victim Fees</th>
<th>Adm Fees</th>
<th>Time Pay Fees</th>
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</thead>
<tbody>
<tr>
<td>I1</td>
<td>Waive</td>
<td>Waive</td>
<td>Waive</td>
<td>Waive</td>
<td>Waive</td>
<td>Waive</td>
<td>25</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>I2</td>
<td>80</td>
<td>200</td>
<td>48</td>
<td>10</td>
<td>4/day</td>
<td>10/mo</td>
<td>25</td>
<td>25</td>
<td>20</td>
</tr>
<tr>
<td>I3</td>
<td>160</td>
<td>400</td>
<td>96</td>
<td>20</td>
<td>8/day</td>
<td>20/mo</td>
<td>25</td>
<td>25</td>
<td>20</td>
</tr>
<tr>
<td>Q1</td>
<td>240</td>
<td>600</td>
<td>144</td>
<td>30</td>
<td>12/day</td>
<td>30/mo</td>
<td>25</td>
<td>25</td>
<td>20</td>
</tr>
<tr>
<td>Q2</td>
<td>320</td>
<td>800</td>
<td>192</td>
<td>40</td>
<td>16/day</td>
<td>40/mo</td>
<td>25</td>
<td>25</td>
<td>20</td>
</tr>
<tr>
<td>Q3</td>
<td>400</td>
<td>1000</td>
<td>240</td>
<td>50</td>
<td>20/day</td>
<td>50/mo</td>
<td>25</td>
<td>25</td>
<td>20</td>
</tr>
</tbody>
</table>

NOTE: Placement fee may be assessed with the amount determined on a case by case basis. No victim fee will be assessed when the parent/guardian is the victim.

The Assessment Office will enter an Income Classification into JOLTS which will appear on the 430 screen. Any time a fee is to be assessed, the 430 screen will be checked for the Income Classification and the sliding fees scale used to determine the appropriate fee.

### Monthly Gross Income

<table>
<thead>
<tr>
<th>Size of Household</th>
<th>I1</th>
<th>I2</th>
<th>I3</th>
<th>Q1</th>
<th>Q2</th>
<th>Q3</th>
</tr>
</thead>
<tbody>
<tr>
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<td>0-413</td>
<td>414-826</td>
<td>827-1239</td>
<td>1240-1652</td>
<td>1653-2065</td>
<td>2066-2478</td>
</tr>
<tr>
<td>2</td>
<td>0-559</td>
<td>560-1118</td>
<td>1119-1677</td>
<td>1678-2236</td>
<td>2237-2795</td>
<td>2796-3354</td>
</tr>
<tr>
<td>3</td>
<td>0-705</td>
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N/I - Not Indigent

We recommend the following payment schedule:

- I1 Fees Waived
- I2 $20/mo.
- I3 $27/mo.
- Q1 $35/mo.
- Q2 $42/mo.
- Q3 $50/mo.

Add $146 per additional person on I1
Add $293 per additional person on I2
Add $439 per additional person on I3
Add $586 per additional person on Q1
Add $731 per additional person on Q2
Add $878 per additional person on Q3