

GENERAL ORDER 11-09

11 MAR 01

2011 MAR 3 11:11

RECEIVED  
8  
KANE COUNTY CLERK

This order supersedes General Order 02-08.

WHEREAS, pursuant to 730 ILCS 5/5-7-6(a), gainfully employed offenders sentenced to periodic imprisonment, including offenders who are sentenced to imprisonment for weekends only, shall pay a fee for room and board at a rate established by the county board with the concurrence of the chief of the judicial circuit; and

WHEREAS, the Kane County Board has determined that a sliding scale based on an offender's financial status should be implemented in determining an offender's periodic imprisonment fee, and has passed Resolution 09-394 in support of this sliding scale, as required under 730 ILCS 5/5-7-6(a); and

WHEREAS, pursuant to 730 ILCS 5/5-7-6(a), each week, on a day designated by the clerk of the circuit court, every offender shall pay the circuit court clerk the fee for the offender's room and board.

IT IS HEREBY ORDERED that the Circuit Court of Kane County shall adopt the sliding scale attached hereto, and the fee for weekend imprisonment that is currently at Fifteen Dollars (\$15.00) per day shall be increased according to said sliding scale. In addition, the Court has the discretion to adjust the fee amounts in some cases due to special financial considerations. The Court shall determine the offender's financial status at the time of sentencing utilizing the attached sliding scale; and

IT IS FURTHER ORDERED that, pursuant to 730 ILCS 5/5-7-6(a), all fees for weekend imprisonment shall be paid to the Circuit Clerk, in full, at least seven days in advance of the first weekend to be served. At the time of payment, the Clerk shall give the offender a receipt reflecting that the fee for all of the offender's weekends have been paid in full. Pursuant to 730 ILCS 5/5-7-6(a), the Clerk shall disburse all fees collected herein to the Kane County General Corporate Fund, 001-0000-381.16-32; and

IT IS FURTHER ORDERED that prior to the entry of the sentencing order imposing periodic imprisonment, an offender seeking weekend imprisonment, or his counsel, must first contact the Kane County Sheriff's Office to request the dates for serving the weekend imprisonment. The offender will be able to serve only those weekends assigned by the Kane County Sheriff's Office. A Sheriff's deputy will be available twenty-four hours a day at (630) 208-2083 for reserving service weekends. An immediate response as to available dates will be provided by the deputy along with a confirmation number. These dates must then be included in the sentencing order. No offender will be admitted to weekend imprisonment without a reservation given by the Kane County Sheriff's Office; and

pg 1 of 3

HEADQUARTERS  
KANE COUNTY  
JAIL

IT IS FURTHER ORDERED that in the event the offender fails to complete any portion of the weekend imprisonment, for whatever reason, the offender shall be reimbursed for the daily fee for those days not served. However, if at the time the offender would be entitled to receive reimbursement, he has a balance owing of fines, costs, or fees under the Judgment Order, the reimbursement shall apply first to the outstanding fines, costs, or fees; and

IT IS FURTHER ORDERED that prior to serving the first weekend, the offender must present evidence to the Kane County Jail that the entire fee for weekend imprisonment has been paid in full. Anyone not having evidence of full payment will be refused admittance and will be reported to the Kane County State's Attorney; and

IT IS FURTHER ORDERED that this General Order shall be effective March 14, 2011.

DATED this 3<sup>rd</sup> day of March 2011.

  
F. Keith Brown, Chief Judge

Sliding Scale

Daily Weekend Jail Fee Amount	Household Gross Income 0 Dependents	Household Gross Income 1 Dependand	Household Gross Income 2 Dependents	Household Gross Income 3 + Dependents
\$20	\$0.00-\$14,500	\$0.00-\$20,500	\$0.00-\$26,000	\$0.00-\$29,000
\$25	\$14,501-\$18,500	\$20,501-\$24,000	\$26,001-\$29,500	\$29,001-\$32,500
\$30	\$18,501-\$22,000	\$24,001-\$27,500	\$29,501-\$33,000	\$32,501-\$36,000
\$35	\$22,001-\$25,500	\$27,501-\$31,000	\$33,001-\$36,500	\$36,001-\$39,000
\$40	\$25,501-\$29,000	\$31,001-\$34,500	\$36,501-\$40,000	\$39,001-\$42,500
\$45	\$29,001-\$32,500	\$34,501-\$37,500	\$40,001-\$43,000	\$42,501-\$49,000
\$50	\$32,501-\$35,500	\$37,501-\$41,500	\$43,001-\$48,000	\$49,001-\$51,000
\$55	\$35,501-\$39,500	\$45,501-\$50,000	\$48,001-\$52,000	\$51,001-\$56,000
\$60	\$39,501-\$43,000	\$50,001-\$54,000	\$52,001-\$57,500	\$56,001-\$61,000
\$65	\$43,001-\$46,500	\$54,001-\$58,000	\$57,501-\$62,000	\$61,001-\$66,000
\$70	\$46,501-\$50,000	\$58,001-\$62,000	\$62,001-\$67,000	\$66,001-\$71,000
\$75	\$50,001-\$54,000	\$62,001-\$66,500	\$67,001-\$72,000	\$71,001-\$76,000
\$80	\$54,001-\$57,500	\$66,501-\$70,500	\$72,001-\$76,500	\$76,001-\$81,500
\$85	\$57,501-\$64,500	\$70,501-\$74,500	\$76,501-\$81,500	\$81,501-\$86,500
\$90	\$64,501-\$68,500	\$74,501-\$79,000	\$81,501-\$86,000	\$86,501-\$91,500
\$95	\$68,501-\$71,500	\$79,001-\$83,000	\$86,001-\$91,000	\$91,501-\$97,000
\$100	\$71,501- and above	\$83,001- and above	\$91,001- and above	\$97,501- and above