

ABILITY-TO-PAY HEARING DISPOSITION SHEET

Defendant's Name: _____

Case Number: _____

Total Amount Owed: \$ _____ **Amount Past Due:** _____

Current Monthly Payment Plan: _____ **Any Payments Since Last Appearance? Yes / No**

1. The Public Defender was or was NOT appointed to represent the Defendant in this proceeding (counsel is required prior to any imprisonment).
2. Public Defender's Name (if appointed) _____
3. The Defendant did or did NOT make a knowing, voluntary, and intelligent waiver of the right to counsel pursuant to Rule 121.
4. The Defendant did or did NOT complete an Ability-to-Pay Evaluation.
5. The Defendant's monthly income is or is NOT below 125% of the relevant Federal Poverty Guideline for household size.
6. The Defendant is or is NOT receiving public assistance (food stamps, Medicaid, SSI, TANF, etc.).
7. The Defendant is or is NOT homeless/living with friends or relatives without the ability to pay rent.
8. The Defendant is or is NOT incarcerated, or was recently released and has not yet obtained employment.
9. The Defendant does or does NOT reside in a mental health facility or substance abuse treatment facility, or was recently released and has not yet obtained employment.
10. The Defendant has or has NOT experienced a change in circumstances since sentencing and/or placement on a payment plan.
11. The Defendant did or did NOT contest the amount owed.
12. Does the Defendant face limitations on the ability to earn money due to:
 - Lack of access to transportation or limitations on driving privileges?
 - Child care requirements?
 - Other relevant factors? _____

125% of the 2017 FPG:

Individual: \$15,175
Family of 2: \$20,575
Family of 3: \$25,975
Family of 4: \$31,375
Family of 5: \$36,775
Family of 6: \$42,175
Family of 7: \$47,575
Family of 8: \$52,975

13. The Court determines that the Defendant is able to pay _____ per month or is NOT able to pay anything in his or her current financial situation. (Explain)

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14. The Court determines that the Defendant has or has NOT made sufficient bona fide efforts to secure employment. (Explain)

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15. The Court determines that the Defendant did NOT willfully fail to pay, or did willfully fail to pay and is therefore found to be in contempt of court. (Explain)

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The Court orders:

Payment schedule as follows: _____ per month beginning _____;

Appear for another Compliance Hearing on _____ at _____;

Waiver or Suspension of the fines, fees, court costs, and restitution imposed until _____;

Reduction of the amount of fines, fees, court costs, and restitution imposed to _____;

Community Service credit of _____ toward the discharge of fines, fees, state assessments, court costs, and restitution owed to the Court;

Completion of Approved Job Skills Training and Educational, Drug Treatment, Counseling, and/or Mental Health Programs credit of _____ toward the discharge of fines, fees, state assessments, court costs, and restitution owed to the Court;

Any Other Disposition deemed just and appropriate, in the discretion of the Court, pursuant to applicable law. (Specify below)

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