

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CRIMINAL DIVISION

People of the State of Illinois,

v.

Case No. _____

**THE STATE'S MOTION FOR REIMBURSEMENT OF COUNTY FUNDS
EXPENDED FOR COST OF COURT-APPOINTED COUNSEL**

The People of the State of Illinois (the "State"), by and through their attorney, KIMBERLY M. FOXX, State's Attorney of Cook County, and her Assistant State's Attorney, _____, respectfully moves this Honorable Court to conduct a hearing pursuant to 725 ILCS 5/113-3.1 to determine whether this Court should order the defendant to pay to the Clerk of the Circuit Court a reasonable sum to reimburse the County for the cost of his/her legal representation by the Public Defender's office. In support of this motion, the State states as follows:

1. Under certain circumstances, Illinois law provides for reimbursement to the County for the cost of court appointed counsel. See 725 ILCS 5/113-3.1
2. 725 ILCS 5/113-3.1 provides that when "the court appoints counsel to represent a defendant, the court may order the defendant to pay to the Clerk of the Circuit Court a reasonable sum to reimburse either the county or the State for such representation." *Id.*
3. In the present case, cash was posted for a bail bond for the defendant. In light of this bail bond, the State submits that a question exists of whether defendant has the resources to partially or fully reimburse the County for the cost of the public defender.
4. Accordingly, the State asks this Honorable Court to conduct a hearing to determine whether the County should be reimbursed for some or all of the funds expended to retain the Public Defender as defense counsel. See 725 ILCS 5/113-3.1 and *People v. Love*, 177 Ill. 2nd 550 (1997).

WHEREFORE, the People of the State of Illinois respectfully request that this Honorable Court conduct a hearing pursuant to 725 ILCS 5/113-3.1 to determine whether some amount of defendant's bail bond should be paid to the County as reimbursement for the cost of the defendant's legal counsel.

Respectfully submitted,

Kimberly M. Foxx
State's Attorney of Cook County

By: _____
Assistant State's Attorney Attorney No. 10295

Iris Y. Martinez, Clerk of the Circuit Court of Cook County, Illinois
cookcountyclerkofcourt.org