

ELIGIBILITY FOR WAIVER OF COURT FEES, COSTS AND CHARGES IN CIVIL CASES**REVISED EFFECTIVE JULY 1, 2019**

per 735 ILCS 5/5-105 (See also Supreme Court Rule 298)

(Based on the 2019 Poverty Guidelines)

Full waiver, if applicant receives assistance under any of the following public benefits programs:

* Supplemental Security Income (SSI)	* General Assistance (GA)
* State Children and Family Assistance	* Food Stamps (SNAP)
* Aid to the Aged, Blind and Disabled (AABD)	* State Transitional Assistance
* Temporary Assistance for Needy Families (TANF)	

OR

Full waiver, if applicant's available income is 125% or less of the current poverty level as established by the United States Department of Health and Human Services, unless the applicant's assets that are not exempt under Part 9 or 10 of Article XII of this Code [735 ILCS 5/12-901a through 735 ILCS 5/12-1006] are of a nature and value that the court determines that the applicant is able to pay the fees, costs, and charges. [Note: based on 735 ILCS 5/5-105.5 (see last paragraph of this sheet), the court may have no discretion to deny eligibility if available income is 125% or less of poverty level.] A partial waiver shall be given, if applicant's available income is greater than 125% but not greater than 200% of the poverty level, as shown below.

2019 Poverty Guidelines for the 48 Contiguous States and the District of Columbia
(found at <http://aspe.hhs.gov/poverty-guidelines>)

Size of family unit	Current Poverty Level	\leq 125% of poverty level (full waiver)	\leq 150% of poverty level (75% waiver)	\leq 175% of poverty level (50% waiver)	\leq 200% of poverty level (25% waiver)
1	\$12,490	\$15,613	\$18,735	\$21,858	\$24,980
2	\$16,910	\$21,138	\$25,365	\$29,593	\$33,820
3	\$21,330	\$26,663	\$31,995	\$37,328	\$42,660
4	\$25,750	\$32,188	\$38,625	\$45,063	\$51,500
5	\$30,170	\$37,713	\$45,255	\$52,798	\$60,340
6	\$34,590	\$43,238	\$51,885	\$60,533	\$69,180
7	\$39,010	\$48,763	\$58,515	\$68,268	\$78,020
8	\$43,430	\$54,288	\$65,145	\$76,003	\$86,860

For family units with more than 8 members, add the following amounts for each additional family unit member: \$4,420 (poverty), \$5,525 (125% poverty level), \$6,630 (150% poverty level), \$7,735 (175% poverty level) and \$8,840 (200% poverty level).

OR

Full waiver, if applicant is, in the discretion of the court, unable to proceed in an action without payment of fees, costs, and charges and whose payment of those fees, costs, and charges would result in substantial hardship to the person or his or her family.

OR

Full waiver, if applicant is an indigent person pursuant to 735 ILCS 5/5-105.5 which states: "Indigent person" means a person whose income is 125% or less of the current official federal poverty income guidelines or who is otherwise eligible to receive civil legal services under the eligibility guidelines of the civil legal services provider or court-sponsored pro bono program. [Note: SCR 298 provides that in any case where a party is represented by a civil legal services provider or attorney in a court-sponsored pro bono program, the party shall be allowed to sue or defend without payment of fees, costs or charges, upon the attorney's filing a certification with the court, without necessity of an application.]