

GUIDELINES TO DETERMINE INDIGENCY

In order to determine whether a child's parent(s) or other person(s) responsible for child's support is indigent several factors will be considered,

The child's parent(s) or other person(s) responsible for child's support's "necessary expenses" will be calculated.

Once that figure is determined it will be subtracted from the child's parent(s) or other person(s) responsible for child's support's gross income (including spousal income if applicable).

Once that number, which for the purposes of this determination will be called the "net income," is determined that figure will be used to determine if the child's parent(s) or other person(s) responsible for child's support is (are) indigent based on the income for one person under the Federal Poverty Guidelines

"Necessary Expenses" should include: rent or mortgage; food/groceries; car payment; *car* insurance; utilities (water, electric, phone)

EXAMPLE:

Formula: GI (Gross Income) - NE (Necessary Expenses) NI (Net Income)

For Family of 2 (combined monthly income)

GI= \$1,650 (2 individuals earning minimum wage (\$5.15 p/hr))

*Assumes a full-time job for a full year (2080 hours).

NE= \$900 (Rent \$350; Car Pmt.\$150; Ins, \$75; Utilities \$125; Groceries \$200)

\$1,650 - \$900 = \$750

NI = \$750

The NI would be compared to the current poverty guidelines for one person to determine if this person would be eligible for court appointed counsel. If the NI was higher than the poverty cut-off, the child would not qualify for an attorney.

The Federal Poverty Guidelines are computed on a yearly basis and published in the *Federal Register*.