



Finance Ordinance

421 N. COUNTY FARM
ROAD
WHEATON, IL 60187
www.dupagecounty.gov

File #: FI-O-0006-23

Agenda Date: 9/26/2023

Agenda #: 8.O.

DETERMINING THE COMPENSATION OF THE DUPAGE COUNTY PUBLIC DEFENDER

WHEREAS, pursuant to 55 ILCS 5/3-4007(a), the Public Defender shall be paid out of the County Treasury a salary in the amount fixed by the County Board; and

WHEREAS, 55 ILCS 5/3-4007(b) further provides that 66 2/3% of the Public Defender's annual salary shall be paid from the State Treasury; and

WHEREAS, the DuPage County Public Defender is employed full-time in that capacity and therefore 55 ILCS 5/3-4007 (b) requires that his salary be at least 90% of the State's Attorney's annual compensation; and

WHEREAS, the DuPage County Public Defender's current salary is \$177,692.78, which is equivalent to 90% of the State's Attorney's annual compensation; and

WHEREAS, the DuPage County Board has discussed the matter and has decided to compensate the Public Defender competitively and desires to increase the Public Defender's salary to \$191,401.00, which exceeds the statutory requirement.

NOW THEREFORE, BE IT ORDAINED BY THE DUPAGE COUNTY BOARD, that the DuPage County Public Defender's salary shall be \$191,401.00 as of September 26, 2023.

Enacted and approved this 26th day of September, 2023 at Wheaton, Illinois.

A handwritten signature in blue ink, appearing to read "Deborah A. Conroy", written over a horizontal line.

DEBORAH A. CONROY, CHAIR
DU PAGE COUNTY BOARD

Attest: A handwritten signature in black ink, appearing to read "Jean Kaczmarek", written over a horizontal line.
JEAN KACZMAREK, COUNTY CLERK

AYES 17
NAYS 0
ABSENT 1



MEMORANDUM

TO: Deborah A. Conroy, County Board Chair
DuPage County Board Members

FROM: Jason R. Blumenthal, Policy & Program Manager

DATE: September 22nd, 2023

RE: Public Defender Compensation

Background:

This summer the DuPage County Board adopted FI-O-0004-23 raising the DuPage County Public Defender's compensation from \$169,878.39 to \$177,692.80. This salary increase was pursuant to 55 ILCS 5/3-4007 which states that a Full-Time Public Defender's salary must be at least 90% of the State's Attorney's salary to receive 66 1/3% reimbursement from the State of Illinois.

In this meeting, there was a discussion concerning Public Defenders' compensation in the other collar counties. Below is a chart that shows the comparable data. There are no state laws that prohibit a County Board from compensating the Public Defender more than 90% of the required level.

Collar Counties:

County	Population	Annual Revenue (Millions)	Public Defender	State's Attorney	Percentage of State's Attorney Salary
DuPage	927,885	584.1	\$177,692.78	\$197,436.93	90%
Lake	711,239	601.7	\$202,884.00	\$197,436.93	102%
Will	697,252	782	\$174,605.30	\$188,753.76	93%
Kane	515,588	393.8	\$167,227.00	\$185,808.00	90%
McHenry	311,122	263.8	\$169,879.00	\$188,754.00	90%

Next Steps:

The next two largest counties by population outside of DuPage, pay their Public Defender above the 90% minimum (Lake at 102% and Will at 93%). The Human Resources Department has conducted a review of the comparable counties and has determined raising the Public Defenders salary to \$191,401 would create a competitive salary. The County Board has three options currently: 1. Raise the salary to \$191,401, 2. Keep the salary the same, or 3. Select some other dollar amount as the Public Defender's salary.