

11-602. APPLICATION FOR LEGAL ASSISTANCE.

EACH APPLICATION FOR LEGAL ASSISTANCE SHALL BE IN WRITING AND ACCOMPANIED BY AN AFFIDAVIT STATING THAT THE INFORMATION CONTAINED IN THE APPLICATION IS TRUE AND CORRECT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 10, § 45L.

Defined term: "Legal assistance" § 11-101

11-603. INCOME ELIGIBILITY LIMITS.

(A) ESTABLISHMENT.

(1) THE CORPORATION SHALL ESTABLISH MAXIMUM INCOME LEVELS FOR CLIENT ELIGIBILITY.

(2) THE INCOME LEVELS SHALL BE BASED ON THE FINANCIAL ABILITY OF A CLIENT TO PAY FOR COMPETENT PRIVATE COUNSEL AND ALL OTHER NECESSARY EXPENSES OF REPRESENTATION.

(B) CONSIDERATIONS.

THE MAXIMUM INCOME LEVELS ESTABLISHED UNDER THIS SECTION AND ELIGIBILITY GUIDELINES ESTABLISHED BY EACH GRANTEE TO IMPLEMENT THIS SECTION SHALL TAKE INTO CONSIDERATION:

- (1) THE SIZE OF THE CLIENT'S FAMILY;
- (2) COST OF LIVING VARIATIONS, INCLUDING DIFFERENCES BETWEEN URBAN AND RURAL AREAS;
- (3) THE ASSETS AND INCOME OF THE CLIENT;
- (4) THE FIXED DEBTS AND MEDICAL EXPENSES OF THE CLIENT; AND
- (5) OTHER FACTORS RELEVANT TO THE CLIENT'S ABILITY TO PAY FOR THE LEGAL SERVICES THE CLIENT REQUIRES.

(C) LIMITATION ON MAXIMUM INCOME LEVELS.

THE CORPORATION MAY NOT SET THE MAXIMUM INCOME LEVELS FOR ELIGIBILITY UNDER THIS SECTION AT A LEVEL GREATER THAN 50% OF THE MEDIAN FAMILY INCOME FOR THE STATE AS CERTIFIED ANNUALLY BY THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 10, § 45G(e).

In subsection (a)(2) of this section, the reference to the financial "ability" of a client is substituted for the former reference to the "inability" for clarity and consistency with subsection (b)(5) of this section.

Also in subsection (a)(2) of this section, the reference to "pay[ing] for"