

1 AN ACT in relation to criminal law.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Capital Crimes Litigation Act is amended
5 by changing Section 5 as follows:

6 (725 ILCS 124/5)

7 (Section scheduled to be repealed on July 1, 2004)

8 Sec. 5. Appointment of trial counsel in death penalty
9 cases. If an indigent defendant is charged with an offense
10 for which a sentence of death is authorized, and the State's
11 Attorney has not, at or before arraignment, filed a
12 certificate indicating he or she will not seek the death
13 penalty or stated on the record in open court that the death
14 penalty will not be sought, the trial court shall immediately
15 appoint the Public Defender, or such other qualified attorney
16 or attorneys as the Illinois Supreme Court shall by rule
17 provide, to represent the defendant as trial counsel. If the
18 Public Defender is appointed, he or she shall immediately
19 assign the such attorney or attorneys who are public
20 defenders to represent the defendant. The counsel shall meet
21 the qualifications as the Supreme Court shall by rule
22 provide.

23 (Source: P.A. 91-589, eff. 1-1-00.)