

1 AN ACT concerning fees.

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

4 Section 5. The Clerks of Courts Act is amended by
5 changing Section 27.2a as follows:

6 (705 ILCS 105/27.2a) (from Ch. 25, par. 27.2a)

7 Sec. 27.2a. The fees of the clerks of the circuit court
8 in all counties having a population of 3,000,000 or more
9 inhabitants in the instances described in this Section shall
10 be as provided in this Section. The fees must ~~shall~~ be paid
11 in advance and shall be as follows:

12 (a) Civil Cases.

13 The fee for filing a complaint, petition, or other
14 pleading initiating a civil action, with the following
15 exceptions, shall be \$190.

16 (A) When the amount of money or damages or the
17 value of personal property claimed does not exceed
18 \$250, \$15.

19 (B) When that amount exceeds \$250 but does not
20 exceed \$1000, \$40.

21 (C) When that amount exceeds \$1000 but does
22 not exceed \$2500, \$50.

23 (D) When that amount exceeds \$2500 but does
24 not exceed \$5000, \$100.

25 (E) When that amount exceeds \$5000 but does
26 not exceed \$15,000, \$150.

27 (F) For the exercise of eminent domain, \$150.
28 For each additional lot or tract of land or right or
29 interest therein subject to be condemned, the
30 damages in respect to which shall require separate
31 assessment by a jury, \$150.

1 (G) For the final determination of parking,
 2 standing, and compliance violations and final
 3 administrative decisions issued after hearings
 4 regarding vehicle immobilization and impoundment
 5 made pursuant to Sections 3-704.1, 6-306.5, and
 6 11-208.3 of the Illinois Vehicle Code, \$25.

7 (b) Forcible Entry and Detainer.

8 In each forcible entry and detainer case when the
 9 plaintiff seeks possession only or unites with his or her
 10 claim for possession of the property a claim for rent or
 11 damages or both in the amount of \$15,000 or less, \$75.
 12 When the plaintiff unites his or her claim for possession
 13 with a claim for rent or damages or both exceeding
 14 \$15,000, \$225.

15 (c) Counterclaim or Joining Third Party Defendant.

16 When any defendant files a counterclaim as part of
 17 his or her answer or otherwise or joins another party as
 18 a third party defendant, or both, the defendant shall pay
 19 a fee for each counterclaim or third party action in an
 20 amount equal to the fee he or she would have had to pay
 21 had he or she brought a separate action for the relief
 22 sought in the counterclaim or against the third party
 23 defendant, less the amount of the appearance fee, if that
 24 has been paid.

25 (d) Confession of Judgment.

26 In a confession of judgment when the amount does not
 27 exceed \$1500, \$60. When the amount exceeds \$1500, but
 28 does not exceed \$5000, \$75. When the amount exceeds
 29 \$5000, but does not exceed \$15,000, \$175. When the amount
 30 exceeds \$15,000, \$250.

31 (e) Appearance.

32 The fee for filing an appearance in each civil case
 33 shall be \$75, except as follows:

34 (A) When the plaintiff in a forcible entry and

1 detainer case seeks possession only, \$40.

2 (B) When the amount in the case does not
3 exceed \$1500, \$40.

4 (C) When that amount exceeds \$1500 but does
5 not exceed \$15,000, \$60.

6 (f) Garnishment, Wage Deduction, and Citation.

7 In garnishment affidavit, wage deduction affidavit,
8 and citation petition when the amount does not exceed
9 \$1,000, \$15; when the amount exceeds \$1,000 but does not
10 exceed \$5,000, \$30; and when the amount exceeds \$5,000,
11 \$50.

12 (g) Petition to Vacate or Modify.

13 (1) Petition to vacate or modify any final judgment
14 or order of court, except in forcible entry and detainer
15 cases and small claims cases or a petition to reopen an
16 estate, to modify, terminate, or enforce a judgment or
17 order for child or spousal support, or to modify,
18 suspend, or terminate an order for withholding, if filed
19 before 30 days after the entry of the judgment or order,
20 \$50.

21 (2) Petition to vacate or modify any final judgment
22 or order of court, except a petition to modify,
23 terminate, or enforce a judgment or order for child or
24 spousal support or to modify, suspend, or terminate an
25 order for withholding, if filed later than 30 days after
26 the entry of the judgment or order, \$75.

27 (3) Petition to vacate order of bond forfeiture,
28 \$40.

29 (h) Mailing.

30 When the clerk is required to mail, the fee will be
31 \$10, plus the cost of postage.

32 (i) Certified Copies.

33 Each certified copy of a judgment after the first,
34 except in small claims and forcible entry and detainer

1 cases, \$15.

2 (j) Habeas Corpus.

3 For filing a petition for relief by habeas corpus,
4 \$125.

5 (k) Certification, Authentication, and Reproduction.

6 (1) Each certification or authentication for taking
7 the acknowledgment of a deed or other instrument in
8 writing with the seal of office, \$6.

9 (2) Court appeals when original documents are
10 forwarded, under 100 pages, plus delivery and costs, \$75.

11 (3) Court appeals when original documents are
12 forwarded, over 100 pages, plus delivery and costs, \$150.

13 (4) Court appeals when original documents are
14 forwarded, over 200 pages, an additional fee of 25 cents
15 per page.

16 (5) For reproduction of any document contained in
17 the clerk's files:

18 (A) First page, \$2.

19 (B) Next 19 pages, 50 cents per page.

20 (C) All remaining pages, 25 cents per page.

21 (l) Remands.

22 In any cases remanded to the Circuit Court from the
23 Supreme Court or the Appellate Court for a new trial, the
24 clerk shall file the remanding order and reinstate the
25 case with either its original number or a new number.
26 The Clerk shall not charge any new or additional fee for
27 the reinstatement. Upon reinstatement the Clerk shall
28 advise the parties of the reinstatement. A party shall
29 have the same right to a jury trial on remand and
30 reinstatement as he or she had before the appeal, and no
31 additional or new fee or charge shall be made for a jury
32 trial after remand.

33 (m) Record Search.

34 For each record search, within a division or

1 municipal district, the clerk shall be entitled to a
2 search fee of \$6 for each year searched.

3 (n) Hard Copy.

4 For each page of hard copy print output, when case
5 records are maintained on an automated medium, the clerk
6 shall be entitled to a fee of \$6.

7 (o) Index Inquiry and Other Records.

8 No fee shall be charged for a single
9 plaintiff/defendant index inquiry or single case record
10 inquiry when this request is made in person and the
11 records are maintained in a current automated medium, and
12 when no hard copy print output is requested. The fees to
13 be charged for management records, multiple case records,
14 and multiple journal records may be specified by the
15 Chief Judge pursuant to the guidelines for access and
16 dissemination of information approved by the Supreme
17 Court.

18 (p) Commitment Petitions.

19 For filing commitment petitions under the Mental
20 Health and Developmental Disabilities Code, \$50.

21 (q) Alias Summons.

22 For each alias summons or citation issued by the
23 clerk, \$5.

24 (r) Other Fees.

25 Any fees not covered in this Section shall be set by
26 rule or administrative order of the Circuit Court with
27 the approval of the Administrative Office of the Illinois
28 Courts.

29 The clerk of the circuit court may provide
30 additional services for which there is no fee specified
31 by statute in connection with the operation of the
32 clerk's office as may be requested by the public and
33 agreed to by the clerk and approved by the chief judge of
34 the circuit court. Any charges for additional services

1 shall be as agreed to between the clerk and the party
 2 making the request and approved by the chief judge of the
 3 circuit court. Nothing in this subsection shall be
 4 construed to require any clerk to provide any service not
 5 otherwise required by law.

6 (s) Jury Services.

7 The clerk shall be entitled to receive, in addition
 8 to other fees allowed by law, the sum of \$212.50, as a
 9 fee for the services of a jury in every civil action not
 10 quasi-criminal in its nature and not a proceeding for the
 11 exercise of the right of eminent domain and in every
 12 other action wherein the right of trial by jury is or may
 13 be given by law. The jury fee shall be paid by the party
 14 demanding a jury at the time of filing the jury demand.
 15 If the fee is not paid by either party, no jury shall be
 16 called in the action or proceeding, and the same shall be
 17 tried by the court without a jury.

18 (t) Voluntary Assignment.

19 For filing each deed of voluntary assignment, \$20;
 20 for recording the same, 50¢ for each 100 words.
 21 Exceptions filed to claims presented to an assignee of a
 22 debtor who has made a voluntary assignment for the
 23 benefit of creditors shall be considered and treated, for
 24 the purpose of taxing costs therein, as actions in which
 25 the party or parties filing the exceptions shall be
 26 considered as party or parties plaintiff, and the
 27 claimant or claimants as party or parties defendant, and
 28 those parties respectively shall pay to the clerk the
 29 same fees as provided by this Section to be paid in other
 30 actions.

31 (u) Expungement Petition.

32 The clerk shall be entitled to receive a fee of \$60
 33 for each expungement petition filed and an additional fee
 34 of \$4 for each certified copy of an order to expunge

1 arrest records.

2 (v) Probate.

3 The clerk is entitled to receive the fees specified in
4 this subsection (v), which shall be paid in advance, except
5 that, for good cause shown, the court may suspend, reduce, or
6 release the costs payable under this subsection:

7 (1) For administration of the estate of a decedent
8 (whether testate or intestate) or of a missing person,
9 \$150, plus the fees specified in subsection (v)(3),
10 except:

11 (A) When the value of the real and personal
12 property does not exceed \$15,000, the fee shall be
13 \$40.

14 (B) When (i) proof of heirship alone is made,
15 (ii) a domestic or foreign will is admitted to
16 probate without administration (including proof of
17 heirship), or (iii) letters of office are issued for
18 a particular purpose without administration of the
19 estate, the fee shall be \$40.

20 (2) For administration of the estate of a ward,
21 \$75, plus the fees specified in subsection (v)(3),
22 except:

23 (A) When the value of the real and personal
24 property does not exceed \$15,000, the fee shall be
25 \$40.

26 (B) When (i) letters of office are issued to a
27 guardian of the person or persons, but not of the
28 estate or (ii) letters of office are issued in the
29 estate of a ward without administration of the
30 estate, including filing or joining in the filing of
31 a tax return or releasing a mortgage or consenting
32 to the marriage of the ward, the fee shall be \$20.

33 (3) In addition to the fees payable under
34 subsection (v)(1) or (v)(2) of this Section, the

1 following fees are payable:

2 (A) For each account (other than one final
3 account) filed in the estate of a decedent, or ward,
4 \$25.

5 (B) For filing a claim in an estate when the
6 amount claimed is \$150 or more but less than \$500,
7 \$20; when the amount claimed is \$500 or more but
8 less than \$10,000, \$40; when the amount claimed is
9 \$10,000 or more, \$60; provided that the court in
10 allowing a claim may add to the amount allowed the
11 filing fee paid by the claimant.

12 (C) For filing in an estate a claim, petition,
13 or supplemental proceeding based upon an action
14 seeking equitable relief including the construction
15 or contest of a will, enforcement of a contract to
16 make a will, and proceedings involving testamentary
17 trusts or the appointment of testamentary trustees,
18 \$60.

19 (D) For filing in an estate (i) the appearance
20 of any person for the purpose of consent or (ii) the
21 appearance of an executor, administrator,
22 administrator to collect, guardian, guardian ad
23 litem, or special administrator, no fee.

24 (E) Except as provided in subsection
25 (v)(3)(D), for filing the appearance of any person
26 or persons, \$30.

27 (F) For each jury demand, \$137.50.

28 (G) For disposition of the collection of a
29 judgment or settlement of an action or claim for
30 wrongful death of a decedent or of any cause of
31 action of a ward, when there is no other
32 administration of the estate, \$50, less any amount
33 paid under subsection (v)(1)(B) or (v)(2)(B) except
34 that if the amount involved does not exceed \$5,000,

1 the fee, including any amount paid under subsection
2 (v)(1)(B) or (v)(2)(B), shall be \$20.

3 (H) For each certified copy of letters of
4 office, of court order or other certification, \$2,
5 plus \$1 per page in excess of 3 pages for the
6 document certified.

7 (I) For each exemplification, \$2, plus the fee
8 for certification.

9 (4) The executor, administrator, guardian,
10 petitioner, or other interested person or his or her
11 attorney shall pay the cost of publication by the clerk
12 directly to the newspaper.

13 (5) The person on whose behalf a charge is incurred
14 for witness, court reporter, appraiser, or other
15 miscellaneous fee shall pay the same directly to the
16 person entitled thereto.

17 (6) The executor, administrator, guardian,
18 petitioner, or other interested person or his or her
19 attorney shall pay to the clerk all postage charges
20 incurred by the clerk in mailing petitions, orders,
21 notices, or other documents pursuant to the provisions of
22 the Probate Act of 1975.

23 (w) Criminal and Quasi-Criminal Costs and Fees.

24 (1) The clerk shall be entitled to costs in all
25 criminal and quasi-criminal cases from each person
26 convicted or sentenced to supervision therein as follows:

- 27 (A) Felony complaints, \$125.
- 28 (B) Misdemeanor complaints, \$75.
- 29 (C) Business offense complaints, \$75.
- 30 (D) Petty offense complaints, \$75.
- 31 (E) Minor traffic or ordinance violations,
32 \$30.
- 33 (F) When court appearance required, \$50.
- 34 (G) Motions to vacate or amend final orders,

1 \$40.

2 (H) Motions to vacate bond forfeiture orders,
3 \$30.

4 (I) Motions to vacate ex parte judgments,
5 whenever filed, \$30.

6 (J) Motions to vacate judgment on forfeitures,
7 whenever filed, \$25.

8 (K) Motions to vacate "failure to appear" or
9 "failure to comply" notices sent to the Secretary of
10 State, \$40.

11 (2) In counties having a population of 3,000,000 or
12 more, when the violation complaint is issued by a
13 municipal police department, the clerk shall be entitled
14 to costs from each person convicted therein as follows:

15 (A) Minor traffic or ordinance violations,
16 \$30.

17 (B) When court appearance required, \$50.

18 (3) In ordinance violation cases punishable by fine
19 only, the clerk of the circuit court shall be entitled to
20 receive, unless the fee is excused upon a finding by the
21 court that the defendant is indigent, in addition to
22 other fees or costs allowed or imposed by law, the sum of
23 \$112.50 as a fee for the services of a jury. The jury
24 fee shall be paid by the defendant at the time of filing
25 his or her jury demand. If the fee is not so paid by the
26 defendant, no jury shall be called, and the case shall be
27 tried by the court without a jury.

28 (x) Transcripts of Judgment.

29 For the filing of a transcript of judgment, the
30 clerk shall be entitled to the same fee as if it were the
31 commencement of a new suit.

32 (y) Change of Venue.

33 (1) For the filing of a change of case on a change
34 of venue, the clerk shall be entitled to the same fee as

1 if it were the commencement of a new suit.

2 (2) The fee for the preparation and certification
3 of a record on a change of venue to another jurisdiction,
4 when original documents are forwarded, \$40.

5 (z) Tax objection complaints.

6 For each tax objection complaint containing one or
7 more tax objections, regardless of the number of parcels
8 involved or the number of taxpayers joining in the
9 complaint, \$50.

10 (aa) Tax Deeds.

11 (1) Petition for tax deed, if only one parcel is
12 involved, \$250.

13 (2) For each additional parcel, add a fee of \$100.

14 (bb) Collections.

15 (1) For all collections made of others, except the
16 State and county and except in maintenance or child
17 support cases, a sum equal to 3.0% of the amount
18 collected and turned over.

19 (2) Interest earned on any funds held by the clerk
20 shall be turned over to the county general fund as an
21 earning of the office.

22 (3) For any check, draft, or other bank instrument
23 returned to the clerk for non-sufficient funds, account
24 closed, or payment stopped, \$25.

25 (4) In child support and maintenance cases, the
26 clerk, if authorized by an ordinance of the county board,
27 may collect an annual fee of up to \$36 from the person
28 making payment for maintaining child support records and
29 the processing of support orders to the State of Illinois
30 KIDS system and the recording of payments issued by the
31 State Disbursement Unit for the official record of the
32 Court. This fee shall be in addition to and separate
33 from amounts ordered to be paid as maintenance or child
34 support and shall be deposited into a Separate

1 Maintenance and Child Support Collection Fund, of which
 2 the clerk shall be the custodian, ex-officio, to be used
 3 by the clerk to maintain child support orders and record
 4 all payments issued by the State Disbursement Unit for
 5 the official record of the Court. The clerk may recover
 6 from the person making the maintenance or child support
 7 payment any additional cost incurred in the collection of
 8 this annual fee.

9 The clerk shall also be entitled to a fee of \$5 for
 10 certifications made to the Secretary of State as provided
 11 in Section 7-703 of the Family Financial Responsibility
 12 Law and these fees shall also be deposited into the
 13 Separate Maintenance and Child Support Collection Fund.

14 (cc) Corrections of Numbers.

15 For correction of the case number, case title, or
 16 attorney computer identification number, if required by
 17 rule of court, on any document filed in the clerk's
 18 office, to be charged against the party that filed the
 19 document, \$25.

20 (dd) Exceptions.

21 (1) The fee requirements of this Section shall not
 22 apply to police departments or other law enforcement
 23 agencies. In this Section, "law enforcement agency"
 24 means an agency of the State or a unit of local
 25 government which is vested by law or ordinance with the
 26 duty to maintain public order and to enforce criminal
 27 laws or ordinances. "Law enforcement agency" also means
 28 the Attorney General or any state's attorney.

29 (2) No fee provided herein shall be charged to any
 30 unit of local government or school district. The fee
 31 requirements of this Section shall not apply to any
 32 action instituted under subsection (b) of Section 11-31-1
 33 of the Illinois Municipal Code by a private owner or
 34 tenant of real property within 1200 feet of a dangerous

1 or unsafe building seeking an order compelling the owner
2 or owners of the building to take any of the actions
3 authorized under that subsection.

4 (ee) Adoption.

5 (1) For an adoption.....\$65

6 (2) Upon good cause shown, the court may waive the
7 adoption filing fee in a special needs adoption. The
8 term "special needs adoption" shall have the meaning
9 ascribed to it by the Illinois Department of Children and
10 Family Services.

11 (ff) Adoption exemptions.

12 No fee other than that set forth in subsection (ee)
13 shall be charged to any person in connection with an
14 adoption proceeding.

15 (Source: P.A. 90-466, eff. 8-17-97; 90-796, eff. 12-15-98;
16 91-321, eff. 1-1-00; 91-612, eff. 10-1-99; 91-821, eff.
17 6-13-00.)