

1 AMENDMENT TO HOUSE BILL 1829

2 AMENDMENT NO. _____. Amend House Bill 1829 as follows:

3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Clerks of Courts Act is amended by
6 changing Sections 27.2, 27.2a, 27.5, and 27.6 as follows:

7 (705 ILCS 105/27.2) (from Ch. 25, par. 27.2)

8 Sec. 27.2. The fees of the clerks of the circuit court
9 in all counties having a population in excess of 650,000
10 inhabitants but less than 3,000,000 inhabitants in the
11 instances described in this Section shall be as provided in
12 this Section. In addition, the fees provided in this Section
13 shall apply to all units of local government and school
14 districts in counties with more than 3,000,000 inhabitants.
15 The fees shall be paid in advance and shall be as follows:

16 (a) Civil Cases.

17 The fee for filing a complaint, petition, or other
18 pleading initiating a civil action, with the following
19 exceptions, shall be \$190 ~~\$150~~.

20 (A) When the amount of money or damages or the
21 value of personal property claimed does not exceed

1 \$250, ~~\$15~~ ~~\$10~~.

2 (B) When that amount exceeds \$250 but does not
3 exceed ~~\$1,000~~ ~~\$500~~, ~~\$40~~ ~~\$20~~.

4 (C) When that amount exceeds ~~\$1,000~~ ~~\$500~~ but
5 does not exceed \$2500, ~~\$50~~ ~~\$30~~.

6 (D) When that amount exceeds \$2500 but does
7 not exceed ~~\$5,000~~ ~~\$15,000~~, ~~\$100~~ ~~\$75~~.

8 (D-5) When the amount exceeds \$5,000 but does
9 not exceed \$15,000, \$150.

10 (E) For the exercise of eminent domain, \$150.
11 For each additional lot or tract of land or right or
12 interest therein subject to be condemned, the
13 damages in respect to which shall require separate
14 assessment by a jury, \$150.

15 (b) Forcible Entry and Detainer.

16 In each forcible entry and detainer case when the
17 plaintiff seeks possession only or unites with his or her
18 claim for possession of the property a claim for rent or
19 damages or both in the amount of \$15,000 or less, ~~\$75~~
20 ~~\$40~~. When the plaintiff unites his or her claim for
21 possession with a claim for rent or damages or both
22 exceeding \$15,000, ~~\$225~~ ~~\$150~~.

23 (c) Counterclaim or Joining Third Party Defendant.

24 When any defendant files a counterclaim as part of
25 his or her answer or otherwise or joins another party as
26 a third party defendant, or both, the defendant shall pay
27 a fee for each counterclaim or third party action in an
28 amount equal to the fee he or she would have had to pay
29 had he or she brought a separate action for the relief
30 sought in the counterclaim or against the third party
31 defendant, less the amount of the appearance fee, if that
32 has been paid.

33 (d) Confession of Judgment.

34 In a confession of judgment when the amount does not

1 exceed \$1500, ~~\$60~~ \$50. When the amount exceeds \$1500, but
 2 does not exceed ~~\$5,000~~ \$15,000, ~~\$75~~ \$115. When the amount
 3 exceeds \$5,000, but does not exceed \$15,000, \$175. When
 4 the amount exceeds \$15,000, ~~\$250~~ \$200.

5 (e) Appearance.

6 The fee for filing an appearance in each civil case
 7 shall be ~~\$75~~ \$50, except as follows:

8 (A) When the plaintiff in a forcible entry and
 9 detainer case seeks possession only; ~~\$40~~ \$20.

10 (B) When the amount in the case does not
 11 exceed \$1500, ~~\$40~~ \$20.

12 (C) When ~~the~~ that amount in the case exceeds
 13 \$1500 but does not exceed \$15,000, ~~\$60~~ \$40.

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

15 In garnishment affidavit, wage deduction affidavit,
 16 and citation petition when the amount does not exceed
 17 \$1,000, ~~\$15~~ \$10; when the amount exceeds \$1,000 but does
 18 not exceed \$5,000, ~~\$30~~ \$20; and when the amount exceeds
 19 \$5,000, ~~\$50~~ \$30.

20 (g) Petition to Vacate or Modify.

21 (1) Petition to vacate or modify any final judgment
 22 or order of court, except in forcible entry and detainer
 23 cases and small claims cases or a petition to reopen an
 24 estate, to modify, terminate, or enforce a judgment or
 25 order for child or spousal support, or to modify,
 26 suspend, or terminate an order for withholding, if filed
 27 before 30 days after the entry of the judgment or order,
 28 ~~\$50~~ \$40.

29 (2) Petition to vacate or modify any final judgment
 30 or order of court, except a petition to modify,
 31 terminate, or enforce a judgment or order for child or
 32 spousal support or to modify, suspend, or terminate an
 33 order for withholding, if filed later than 30 days after
 34 the entry of the judgment or order, ~~\$75~~ \$60.

1 (3) Petition to vacate order of bond forfeiture,
2 \$40 \$20.

3 (h) Mailing.

4 When the clerk is required to mail, the fee will be
5 \$10 \$6, plus the cost of postage.

6 (i) Certified Copies.

7 Each certified copy of a judgment after the first,
8 except in small claims and forcible entry and detainer
9 cases, \$15 \$10.

10 (j) Habeas Corpus.

11 For filing a petition for relief by habeas corpus,
12 \$125 \$80.

13 (k) Certification, Authentication, and Reproduction.

14 (1) Each certification or authentication for taking
15 the acknowledgment of a deed or other instrument in
16 writing with the seal of office, \$6 \$4.

17 (2) Court appeals when original documents are
18 forwarded, under 100 pages, plus delivery and costs, \$75
19 \$50.

20 (3) Court appeals when original documents are
21 forwarded, over 100 pages, plus delivery and costs, \$150
22 \$120.

23 (4) Court appeals when original documents are
24 forwarded, over 200 pages, an additional fee of 25 20
25 cents per page.

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

28 (A) First page, \$2.

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

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

31 (l) Remands.

32 In any cases remanded to the Circuit Court from the
33 Supreme Court or the Appellate Court for a new trial, the
34 clerk shall file the remanding order and reinstate the

1 case with either its original number or a new number.
2 The Clerk shall not charge any new or additional fee for
3 the reinstatement. Upon reinstatement the Clerk shall
4 advise the parties of the reinstatement. A party shall
5 have the same right to a jury trial on remand and
6 reinstatement as he or she had before the appeal, and no
7 additional or new fee or charge shall be made for a jury
8 trial after remand.

9 (m) Record Search.

10 For each record search, within a division or
11 municipal district, the clerk shall be entitled to a
12 search fee of \$6 \$4 for each year searched.

13 (n) Hard Copy.

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

17 (o) Index Inquiry and Other Records.

18 No fee shall be charged for a single
19 plaintiff/defendant index inquiry or single case record
20 inquiry when this request is made in person and the
21 records are maintained in a current automated medium, and
22 when no hard copy print output is requested. The fees to
23 be charged for management records, multiple case records,
24 and multiple journal records may be specified by the
25 Chief Judge pursuant to the guidelines for access and
26 dissemination of information approved by the Supreme
27 Court.

28 (p) Commitment Petitions.

29 For filing commitment petitions under the Mental
30 Health and Developmental Disabilities Code, \$50 \$25.

31 (q) Alias Summons.

32 For each alias summons or citation issued by the
33 clerk, \$5 \$4.

34 (r) Other Fees.

1 Any fees not covered in this Section shall be set by
2 rule or administrative order of the Circuit Court with
3 the approval of the Administrative Office of the Illinois
4 Courts.

5 The clerk of the circuit court may provide
6 additional services for which there is no fee specified
7 by statute in connection with the operation of the
8 clerk's office as may be requested by the public and
9 agreed to by the clerk and approved by the chief judge of
10 the circuit court. Any charges for additional services
11 shall be as agreed to between the clerk and the party
12 making the request and approved by the chief judge of the
13 circuit court. Nothing in this subsection shall be
14 construed to require any clerk to provide any service not
15 otherwise required by law.

16 (s) Jury Services.

17 The clerk shall be entitled to receive, in addition
18 to other fees allowed by law, the sum of \$212.50 ~~\$192.50~~,
19 as a fee for the services of a jury in every civil action
20 not quasi-criminal in its nature and not a proceeding for
21 the exercise of the right of eminent domain and in every
22 other action wherein the right of trial by jury is or may
23 be given by law. The jury fee shall be paid by the party
24 demanding a jury at the time of filing the jury demand.
25 If the fee is not paid by either party, no jury shall be
26 called in the action or proceeding, and the same shall be
27 tried by the court without a jury.

28 (t) Voluntary Assignment.

29 For filing each deed of voluntary assignment, \$20
30 ~~\$10~~; for recording the same, \$0.50 ~~25¢~~ for each 100
31 words. Exceptions filed to claims presented to an
32 assignee of a debtor who has made a voluntary assignment
33 for the benefit of creditors shall be considered and
34 treated, for the purpose of taxing costs therein, as

1 actions in which the party or parties filing the
2 exceptions shall be considered as party or parties
3 plaintiff, and the claimant or claimants as party or
4 parties defendant, and those parties respectively shall
5 pay to the clerk the same fees as provided by this
6 Section to be paid in other actions.

7 (u) Expungement Petition.

8 The clerk shall be entitled to receive a fee of \$60
9 \$30 for each expungement petition filed and an additional
10 fee of \$4 \$2 for each certified copy of an order to
11 expunge arrest records.

12 (v) Probate.

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

17 (1) For administration of the estate of a decedent
18 (whether testate or intestate) or of a missing person,
19 \$150 \$100, plus the fees specified in subsection (v)(3),
20 except:

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

24 (B) When (i) proof of heirship alone is made,
25 (ii) a domestic or foreign will is admitted to
26 probate without administration (including proof of
27 heirship), or (iii) letters of office are issued for
28 a particular purpose without administration of the
29 estate, the fee shall be \$40 \$25.

30 (2) For administration of the estate of a ward, \$75
31 \$50, plus the fees specified in subsection (v)(3),
32 except:

33 (A) When the value of the real and personal
34 property does not exceed \$15,000, the fee shall be

1 \$40 ~~\$25~~.

2 (B) When (i) letters of office are issued to a
3 guardian of the person or persons, but not of the
4 estate or (ii) letters of office are issued in the
5 estate of a ward without administration of the
6 estate, including filing or joining in the filing of
7 a tax return or releasing a mortgage or consenting
8 to the marriage of the ward, the fee shall be \$20
9 ~~\$10~~.

10 (3) In addition to the fees payable under
11 subsection (v)(1) or (v)(2) of this Section, the
12 following fees are payable:

13 (A) For each account (other than one final
14 account) filed in the estate of a decedent, or ward,
15 \$25 ~~\$15~~.

16 (B) For filing a claim in an estate when the
17 amount claimed is \$150 or more but less than \$500,
18 \$20 ~~\$10~~; when the amount claimed is \$500 or more but
19 less than \$10,000, \$40 ~~\$25~~; when the amount claimed
20 is \$10,000 or more, \$60 ~~\$40~~; provided that the court
21 in allowing a claim may add to the amount allowed
22 the filing fee paid by the claimant.

23 (C) For filing in an estate a claim, petition,
24 or supplemental proceeding based upon an action
25 seeking equitable relief including the construction
26 or contest of a will, enforcement of a contract to
27 make a will, and proceedings involving testamentary
28 trusts or the appointment of testamentary trustees,
29 \$60 ~~\$40~~.

30 (D) For filing in an estate (i) the appearance
31 of any person for the purpose of consent or (ii) the
32 appearance of an executor, administrator,
33 administrator to collect, guardian, guardian ad
34 litem, or special administrator, no fee.

1 (E) Except as provided in subsection
2 (v)(3)(D), for filing the appearance of any person
3 or persons, \$30 ~~\$10~~.

4 (F) For each jury demand, \$137.50 ~~\$102.50~~.

5 (G) For disposition of the collection of a
6 judgment or settlement of an action or claim for
7 wrongful death of a decedent or of any cause of
8 action of a ward, when there is no other
9 administration of the estate, \$50 ~~\$30~~, less any
10 amount paid under subsection (v)(1)(B) or (v)(2)(B)
11 except that if the amount involved does not exceed
12 \$5,000, the fee, including any amount paid under
13 subsection (v)(1)(B) or (v)(2)(B), shall be \$20 ~~\$10~~.

14 (H) For each certified copy of letters of
15 office, of court order or other certification, \$2
16 ~~\$1~~, plus \$1 ~~50¢~~ per page in excess of 3 pages for
17 the document certified.

18 (I) For each exemplification, \$2 ~~\$1~~, plus the
19 fee for certification.

20 (4) The executor, administrator, guardian,
21 petitioner, or other interested person or his or her
22 attorney shall pay the cost of publication by the clerk
23 directly to the newspaper.

24 (5) The person on whose behalf a charge is incurred
25 for witness, court reporter, appraiser, or other
26 miscellaneous fee shall pay the same directly to the
27 person entitled thereto.

28 (6) The executor, administrator, guardian,
29 petitioner, or other interested person or his attorney
30 shall pay to the clerk all postage charges incurred by
31 the clerk in mailing petitions, orders, notices, or other
32 documents pursuant to the provisions of the Probate Act
33 of 1975.

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

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

4 (A) Felony complaints, \$125 \$80.

5 (B) Misdemeanor complaints, \$75 \$50.

6 (C) Business offense complaints, \$75 \$50.

7 (D) Petty offense complaints, \$75 \$50.

8 (E) Minor traffic or ordinance violations,
9 \$20.

10 (F) When court appearance required, \$30.

11 (G) Motions to vacate or amend final orders,
12 \$40 \$20.

13 (H) Motions to vacate bond forfeiture orders,
14 \$30 \$20.

15 (I) Motions to vacate ex parte judgments,
16 whenever filed, \$30 \$20.

17 (J) Motions to vacate judgment on forfeitures,
18 whenever filed, \$25 \$20.

19 (K) Motions to vacate "failure to appear" or
20 "failure to comply" notices sent to the Secretary of
21 State, \$40 \$20.

22 (2) In counties having a population of more than
23 650,000 but fewer than 3,000,000 inhabitants, when the
24 violation complaint is issued by a municipal police
25 department, the clerk shall be entitled to costs from
26 each person convicted therein as follows:

27 (A) Minor traffic or ordinance violations,
28 \$10.

29 (B) When court appearance required, \$15.

30 (3) In ordinance violation cases punishable by fine
31 only, the clerk of the circuit court shall be entitled to
32 receive, unless the fee is excused upon a finding by the
33 court that the defendant is indigent, in addition to
34 other fees or costs allowed or imposed by law, the sum of

1 \$112.50 \$50 as a fee for the services of a jury. The
 2 jury fee shall be paid by the defendant at the time of
 3 filing his or her jury demand. If the fee is not so paid
 4 by the defendant, no jury shall be called, and the case
 5 shall be tried by the court without a jury.

6 (x) Transcripts of Judgment.

7 For the filing of a transcript of judgment, the
 8 clerk shall be entitled to the same fee as if it were the
 9 commencement of new suit.

10 (y) Change of Venue.

11 (1) For the filing of a change of case on a change
 12 of venue, the clerk shall be entitled to the same fee as
 13 if it were the commencement of a new suit.

14 (2) The fee for the preparation and certification
 15 of a record on a change of venue to another jurisdiction,
 16 when original documents are forwarded, \$40 \$25.

17 (z) Tax objection complaints.

18 For each tax objection complaint containing one or
 19 more tax objections, regardless of the number of parcels
 20 involved ~~pertaining to the same taxpayer or the number of~~
 21 ~~taxpayers-joining-in-the-complaint~~, \$50 \$25.

22 (aa) Tax Deeds.

23 (1) Petition for tax deed, if only one parcel is
 24 involved, \$250 \$150.

25 (2) For each additional parcel, add a fee of \$100
 26 \$50.

27 (bb) Collections.

28 (1) For all collections made of others, except the
 29 State and county and except in maintenance or child
 30 support cases, a sum equal to 3.0% ~~2-5%~~ of the amount
 31 collected and turned over.

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

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

4 (4) In child support and maintenance cases, the
5 clerk, if authorized by an ordinance of the county board,
6 may collect an annual fee of up to \$36 from the person
7 making payment for maintaining child support records and
8 the processing of support orders to the State of Illinois
9 KIDS system and the recording of payments issued by the
10 State Disbursement Unit for the official record of the
11 Court. This fee shall be in addition to and separate from
12 amounts ordered to be paid as maintenance or child
13 support and shall be deposited into a Separate
14 Maintenance and Child Support Collection Fund, of which
15 the clerk shall be the custodian, ex-officio, to be used
16 by the clerk to maintain child support orders and record
17 all payments issued by the State Disbursement Unit for
18 the official record of the Court. The clerk may recover
19 from the person making the maintenance or child support
20 payment any additional cost incurred in the collection of
21 this annual fee.

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

27 (cc) Corrections of Numbers.

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

33 (dd) Exceptions.

34 The fee requirements of this Section shall not apply

1 to police departments or other law enforcement agencies.
 2 In this Section, "law enforcement agency" means an agency
 3 of the State or a unit of local government which is
 4 vested by law or ordinance with the duty to maintain
 5 public order and to enforce criminal laws or ordinances.
 6 "Law enforcement agency" also means the Attorney General
 7 or any state's attorney. The fee requirements of this
 8 Section shall not apply to any action instituted under
 9 subsection (b) of Section 11-31-1 of the Illinois
 10 Municipal Code by a private owner or tenant of real
 11 property within 1200 feet of a dangerous or unsafe
 12 building seeking an order compelling the owner or owners
 13 of the building to take any of the actions authorized
 14 under that subsection.

15 (ee) Adoptions.

- 16 (1) For an adoption.....\$65
- 17 (2) Upon good cause shown, the court may waive the
- 18 adoption filing fee in a special needs adoption. The
- 19 term "special needs adoption" shall have the meaning
- 20 ascribed to it by the Illinois Department of Children and
- 21 Family Services.

22 (ff) Adoption exemptions.

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

26 (Source: P.A. 90-466, eff. 8-17-97; 90-796, eff. 12-15-98;
 27 91-321, eff. 1-1-00; 91-612, eff. 10-1-99; revised 10-15-99.)

28 (705 ILCS 105/27.2a) (from Ch. 25, par. 27.2a)

29 Sec. 27.2a. The fees of the clerks of the circuit court
 30 in all counties having a population of 3,000,000 or more
 31 inhabitants in the instances described in this Section shall
 32 be as provided in this Section. The fees shall be paid in
 33 advance and shall be as follows:

1 (a) Civil Cases.

2 The fee for filing a complaint, petition, or other
3 pleading initiating a civil action, with the following
4 exceptions, shall be \$225 ~~\$190~~.

5 (A) When the amount of money or damages or the
6 value of personal property claimed does not exceed
7 \$250, \$20 ~~\$15~~.

8 (B) When that amount exceeds \$250 but does not
9 exceed \$1000, \$50 ~~\$40~~.

10 (C) When that amount exceeds \$1000 but does
11 not exceed \$2500, \$60 ~~\$50~~.

12 (D) When that amount exceeds \$2500 but does
13 not exceed \$5000, \$125 ~~\$100~~.

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

16 (F) For the exercise of eminent domain, \$150.
17 For each additional lot or tract of land or right or
18 interest therein subject to be condemned, the
19 damages in respect to which shall require separate
20 assessment by a jury, \$150.

21 (G) For the final determination of parking,
22 standing, and compliance violations and final
23 administrative decisions issued after hearings
24 regarding vehicle immobilization and impoundment
25 made pursuant to Sections 3-704.1, 6-306.5, and
26 11-208.3 of the Illinois Vehicle Code, \$25.

27 (b) Forcible Entry and Detainer.

28 In each forcible entry and detainer case when the
29 plaintiff seeks possession only or unites with his or her
30 claim for possession of the property a claim for rent or
31 damages or both in the amount of \$15,000 or less, \$100
32 \$75. When the plaintiff unites his or her claim for
33 possession with a claim for rent or damages or both
34 exceeding \$15,000, \$275 ~~\$225~~.

1 (c) Counterclaim or Joining Third Party Defendant.

2 When any defendant files a counterclaim as part of
3 his or her answer or otherwise or joins another party as
4 a third party defendant, or both, the defendant shall pay
5 a fee for each counterclaim or third party action in an
6 amount equal to the fee he or she would have had to pay
7 had he or she brought a separate action for the relief
8 sought in the counterclaim or against the third party
9 defendant, less the amount of the appearance fee, if that
10 has been paid.

11 (d) Confession of Judgment.

12 In a confession of judgment when the amount does not
13 exceed \$1500, \$75 \$60. When the amount exceeds \$1500,
14 but does not exceed \$5000, \$100 \$75. When the amount
15 exceeds \$5000, but does not exceed \$15,000, \$225 \$175.
16 When the amount exceeds \$15,000, \$275 \$250.

17 (e) Appearance.

18 The fee for filing an appearance in each civil case
19 shall be \$100 \$75, except as follows:

20 (A) When the plaintiff in a forcible entry and
21 detainer case seeks possession only, \$50 \$40.

22 (B) When the amount in the case does not
23 exceed \$1500, \$50 \$40.

24 (C) When that amount exceeds \$1500 but does
25 not exceed \$15,000, \$75 \$60.

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

27 In garnishment affidavit, wage deduction affidavit,
28 and citation petition when the amount does not exceed
29 \$1,000, \$20 \$15; when the amount exceeds \$1,000 but does
30 not exceed \$5,000, \$40 \$30; and when the amount exceeds
31 \$5,000, \$60 \$50.

32 (g) Petition to Vacate or Modify.

33 (1) Petition to vacate or modify any final judgment
34 or order of court, except in forcible entry and detainer

1 cases and small claims cases or a petition to reopen an
2 estate, to modify, terminate, or enforce a judgment or
3 order for child or spousal support, or to modify,
4 suspend, or terminate an order for withholding, if filed
5 before 30 days after the entry of the judgment or order,
6 \$60 \$50.

7 (2) Petition to vacate or modify any final judgment
8 or order of court, except a petition to modify,
9 terminate, or enforce a judgment or order for child or
10 spousal support or to modify, suspend, or terminate an
11 order for withholding, if filed later than 30 days after
12 the entry of the judgment or order, \$90 \$75.

13 (3) Petition to vacate order of bond forfeiture,
14 \$50 \$40.

15 (h) Mailing.

16 When the clerk is required to mail, the fee will be
17 \$10, plus the cost of postage.

18 (i) Certified Copies.

19 Each certified copy of a judgment after the first,
20 except in small claims and forcible entry and detainer
21 cases, \$20 \$15.

22 (j) Habeas Corpus.

23 For filing a petition for relief by habeas corpus,
24 \$150 \$125.

25 (k) Certification, Authentication, and Reproduction.

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

29 (2) Court appeals when original documents are
30 forwarded, under 100 pages, plus delivery and costs, \$100
31 \$75.

32 (3) Court appeals when original documents are
33 forwarded, over 100 pages, plus delivery and costs, \$185
34 \$150.

1 (4) Court appeals when original documents are
2 forwarded, over 200 pages, an additional fee of 25 cents
3 per page.

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

6 (A) First page, \$2.

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

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

9 (l) Remands.

10 In any cases remanded to the Circuit Court from the
11 Supreme Court or the Appellate Court for a new trial, the
12 clerk shall file the remanding order and reinstate the
13 case with either its original number or a new number.
14 The Clerk shall not charge any new or additional fee for
15 the reinstatement. Upon reinstatement the Clerk shall
16 advise the parties of the reinstatement. A party shall
17 have the same right to a jury trial on remand and
18 reinstatement as he or she had before the appeal, and no
19 additional or new fee or charge shall be made for a jury
20 trial after remand.

21 (m) Record Search.

22 For each record search, within a division or
23 municipal district, the clerk shall be entitled to a
24 search fee of ~~\$8~~ \$6 for each year searched.

25 (n) Hard Copy.

26 For each page of hard copy print output, when case
27 records are maintained on an automated medium, the clerk
28 shall be entitled to a fee of ~~\$8~~ \$6.

29 (o) Index Inquiry and Other Records.

30 No fee shall be charged for a single
31 plaintiff/defendant index inquiry or single case record
32 inquiry when this request is made in person and the
33 records are maintained in a current automated medium, and
34 when no hard copy print output is requested. The fees to

1 be charged for management records, multiple case records,
2 and multiple journal records may be specified by the
3 Chief Judge pursuant to the guidelines for access and
4 dissemination of information approved by the Supreme
5 Court.

6 (p) Commitment Petitions.

7 For filing commitment petitions under the Mental
8 Health and Developmental Disabilities Code, \$60 \$50.

9 (q) Alias Summons.

10 For each alias summons or citation issued by the
11 clerk, \$6 \$5.

12 (r) Other Fees.

13 Any fees not covered in this Section shall be set by
14 rule or administrative order of the Circuit Court with
15 the approval of the Administrative Office of the Illinois
16 Courts.

17 The clerk of the circuit court may provide
18 additional services for which there is no fee specified
19 by statute in connection with the operation of the
20 clerk's office as may be requested by the public and
21 agreed to by the clerk and approved by the chief judge of
22 the circuit court. Any charges for additional services
23 shall be as agreed to between the clerk and the party
24 making the request and approved by the chief judge of the
25 circuit court. Nothing in this subsection shall be
26 construed to require any clerk to provide any service not
27 otherwise required by law.

28 (s) Jury Services.

29 The clerk shall be entitled to receive, in addition
30 to other fees allowed by law, the sum of \$230 ~~\$212.50~~, as
31 a fee for the services of a jury in every civil action
32 not quasi-criminal in its nature and not a proceeding for
33 the exercise of the right of eminent domain and in every
34 other action wherein the right of trial by jury is or may

1 be given by law. The jury fee shall be paid by the party
 2 demanding a jury at the time of filing the jury demand.
 3 If the fee is not paid by either party, no jury shall be
 4 called in the action or proceeding, and the same shall be
 5 tried by the court without a jury.

6 (t) Voluntary Assignment.

7 For filing each deed of voluntary assignment, \$25
 8 \$20; for recording the same, 50¢ for each 100 words.
 9 Exceptions filed to claims presented to an assignee of a
 10 debtor who has made a voluntary assignment for the
 11 benefit of creditors shall be considered and treated, for
 12 the purpose of taxing costs therein, as actions in which
 13 the party or parties filing the exceptions shall be
 14 considered as party or parties plaintiff, and the
 15 claimant or claimants as party or parties defendant, and
 16 those parties respectively shall pay to the clerk the
 17 same fees as provided by this Section to be paid in other
 18 actions.

19 (u) Expungement Petition.

20 The clerk shall be entitled to receive a fee of \$75
 21 \$60 for each expungement petition filed and an additional
 22 fee of \$5 \$4 for each certified copy of an order to
 23 expunge arrest records.

24 (v) Probate.

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

29 (1) For administration of the estate of a decedent
 30 (whether testate or intestate) or of a missing person,
 31 \$185 \$150, plus the fees specified in subsection (v)(3),
 32 except:

33 (A) When the value of the real and personal
 34 property does not exceed \$15,000, the fee shall be

1 \$50 \$40.

2 (B) When (i) proof of heirship alone is made,
3 (ii) a domestic or foreign will is admitted to
4 probate without administration (including proof of
5 heirship), or (iii) letters of office are issued for
6 a particular purpose without administration of the
7 estate, the fee shall be \$50 \$40.

8 (2) For administration of the estate of a ward,
9 \$100 \$75, 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 \$50 \$40.

14 (B) When (i) letters of office are issued to a
15 guardian of the person or persons, but not of the
16 estate or (ii) letters of office are issued in the
17 estate of a ward without administration of the
18 estate, including filing or joining in the filing of
19 a tax return or releasing a mortgage or consenting
20 to the marriage of the ward, the fee shall be \$25
21 \$20.

22 (3) In addition to the fees payable under
23 subsection (v)(1) or (v)(2) of this Section, the
24 following fees are payable:

25 (A) For each account (other than one final
26 account) filed in the estate of a decedent, or ward,
27 \$30 \$25.

28 (B) For filing a claim in an estate when the
29 amount claimed is \$150 or more but less than \$500,
30 \$25 \$20; when the amount claimed is \$500 or more but
31 less than \$10,000, \$50 \$40; when the amount claimed
32 is \$10,000 or more, \$75 \$60; provided that the court
33 in allowing a claim may add to the amount allowed
34 the filing fee paid by the claimant.

1 (C) For filing in an estate a claim, petition,
2 or supplemental proceeding based upon an action
3 seeking equitable relief including the construction
4 or contest of a will, enforcement of a contract to
5 make a will, and proceedings involving testamentary
6 trusts or the appointment of testamentary trustees,
7 \$75 \$60.

8 (D) For filing in an estate (i) the appearance
9 of any person for the purpose of consent or (ii) the
10 appearance of an executor, administrator,
11 administrator to collect, guardian, guardian ad
12 litem, or special administrator, no fee.

13 (E) Except as provided in subsection
14 (v)(3)(D), for filing the appearance of any person
15 or persons, \$40 \$30.

16 (F) For each jury demand, \$170 ~~\$137.50~~.

17 (G) For disposition of the collection of a
18 judgment or settlement of an action or claim for
19 wrongful death of a decedent or of any cause of
20 action of a ward, when there is no other
21 administration of the estate, \$60 \$50, less any
22 amount paid under subsection (v)(1)(B) or (v)(2)(B)
23 except that if the amount involved does not exceed
24 \$5,000, the fee, including any amount paid under
25 subsection (v)(1)(B) or (v)(2)(B), shall be \$25 \$20.

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

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

32 (4) The executor, administrator, guardian,
33 petitioner, or other interested person or his or her
34 attorney shall pay the cost of publication by the clerk

1 directly to the newspaper.

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

6 (6) The executor, administrator, guardian,
7 petitioner, or other interested person or his or her
8 attorney shall pay to the clerk all postage charges
9 incurred by the clerk in mailing petitions, orders,
10 notices, or other documents pursuant to the provisions of
11 the Probate Act of 1975.

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

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

- 16 (A) Felony complaints, \$150 ~~\$125~~.
- 17 (B) Misdemeanor complaints, \$100 ~~\$75~~.
- 18 (C) Business offense complaints, \$100 ~~\$75~~.
- 19 (D) Petty offense complaints, \$100 ~~\$75~~.
- 20 (E) Minor traffic or ordinance violations,
21 \$30.
- 22 (F) When court appearance required, \$50.
- 23 (G) Motions to vacate or amend final orders,
24 \$50 ~~\$40~~.
- 25 (H) Motions to vacate bond forfeiture orders,
26 \$40 ~~\$30~~.
- 27 (I) Motions to vacate ex parte judgments,
28 whenever filed, \$40 ~~\$30~~.
- 29 (J) Motions to vacate judgment on forfeitures,
30 whenever filed, \$30 ~~\$25~~.
- 31 (K) Motions to vacate "failure to appear" or
32 "failure to comply" notices sent to the Secretary of
33 State, \$50 ~~\$40~~.

34 (2) In counties having a population of 3,000,000 or

1 more, when the violation complaint is issued by a
2 municipal police department, the clerk shall be entitled
3 to costs from each person convicted therein as follows:

4 (A) Minor traffic or ordinance violations, \$40
5 \$30.

6 (B) When court appearance required, \$60 \$50.

7 (3) In ordinance violation cases punishable by fine
8 only, the clerk of the circuit court shall be entitled to
9 receive, unless the fee is excused upon a finding by the
10 court that the defendant is indigent, in addition to
11 other fees or costs allowed or imposed by law, the sum of
12 \$140 ~~\$112-50~~ as a fee for the services of a jury. The
13 jury fee shall be paid by the defendant at the time of
14 filing his or her jury demand. If the fee is not so paid
15 by the defendant, no jury shall be called, and the case
16 shall be tried by the court without a jury.

17 (x) Transcripts of Judgment.

18 For the filing of a transcript of judgment, the
19 clerk shall be entitled to the same fee as if it were the
20 commencement of a new suit.

21 (y) Change of Venue.

22 (1) For the filing of a change of case on a change
23 of venue, the clerk shall be entitled to the same fee as
24 if it were the commencement of a new suit.

25 (2) The fee for the preparation and certification
26 of a record on a change of venue to another jurisdiction,
27 when original documents are forwarded, \$50 \$40.

28 (z) Tax objection complaints.

29 For each tax objection complaint containing one or
30 more tax objections, regardless of the number of parcels
31 involved or the number of taxpayers joining in the
32 complaint, \$60 \$50.

33 (aa) Tax Deeds.

34 (1) Petition for tax deed, if only one parcel is

1 involved, \$300 ~~\$250~~.

2 (2) For each additional parcel, add a fee of \$125
3 ~~\$100~~.

4 (bb) Collections.

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

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

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

15 (4) In child support and maintenance cases, the
16 clerk, if authorized by an ordinance of the county board,
17 may collect an annual fee of up to \$36 from the person
18 making payment for maintaining child support records and
19 the processing of support orders to the State of Illinois
20 KIDS system and the recording of payments issued by the
21 State Disbursement Unit for the official record of the
22 Court. This fee shall be in addition to and separate
23 from amounts ordered to be paid as maintenance or child
24 support and shall be deposited into a Separate
25 Maintenance and Child Support Collection Fund, of which
26 the clerk shall be the custodian, ex-officio, to be used
27 by the clerk to maintain child support orders and record
28 all payments issued by the State Disbursement Unit for
29 the official record of the Court. The clerk may recover
30 from the person making the maintenance or child support
31 payment any additional cost incurred in the collection of
32 this annual fee.

33 The clerk shall also be entitled to a fee of \$5 for
34 certifications made to the Secretary of State as provided

1 in Section 7-703 of the Family Financial Responsibility
2 Law and these fees shall also be deposited into the
3 Separate Maintenance and Child Support Collection Fund.

4 (cc) Corrections of Numbers.

5 For correction of the case number, case title, or
6 attorney computer identification number, if required by
7 rule of court, on any document filed in the clerk's
8 office, to be charged against the party that filed the
9 document, \$30 \$25.

10 (dd) Exceptions.

11 (1) The fee requirements of this Section shall not
12 apply to police departments or other law enforcement
13 agencies. In this Section, "law enforcement agency"
14 means an agency of the State or a unit of local
15 government which is vested by law or ordinance with the
16 duty to maintain public order and to enforce criminal
17 laws or ordinances. "Law enforcement agency" also means
18 the Attorney General or any state's attorney.

19 (2) No fee provided herein shall be charged to any
20 unit of local government or school district. The fee
21 requirements of this Section shall not apply to any
22 action instituted under subsection (b) of Section 11-31-1
23 of the Illinois Municipal Code by a private owner or
24 tenant of real property within 1200 feet of a dangerous
25 or unsafe building seeking an order compelling the owner
26 or owners of the building to take any of the actions
27 authorized under that subsection.

28 (ee) Adoption.

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

30 (2) Upon good cause shown, the court may waive the
31 adoption filing fee in a special needs adoption. The
32 term "special needs adoption" shall have the meaning
33 ascribed to it by the Illinois Department of Children and
34 Family Services.

1 (ff) Adoption exemptions.

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

5 (Source: P.A. 90-466, eff. 8-17-97; 90-796, eff. 12-15-98;
6 91-321, eff. 1-1-00; 91-612, eff. 10-1-99; 91-821, eff.
7 6-13-00.)

8 (705 ILCS 105/27.5) (from Ch. 25, par. 27.5)

9 Sec. 27.5. All fees, fines, costs, additional penalties,
10 bail balances assessed or forfeited, and any other amount
11 paid by a person to the circuit clerk that equals an amount
12 less than \$55, except restitution under Section 5-5-6 of the
13 Unified Code of Corrections, reimbursement for the costs of
14 an emergency response as provided under Section 5-5-3 of the
15 Unified Code of Corrections, any fees collected for attending
16 a traffic safety program under paragraph (c) of Supreme Court
17 Rule 529, any fee collected on behalf of a State's Attorney
18 under Section 4-2002 of the Counties Code or a sheriff under
19 Section 4-5001 of the Counties Code, or any cost imposed
20 under Section 124A-5 of the Code of Criminal Procedure of
21 1963, for convictions, orders of supervision, or any other
22 disposition for a violation of Chapters 3, 4, 6, 11, and 12
23 of the Illinois Vehicle Code, or a similar provision of a
24 local ordinance, and any violation of the Child Passenger
25 Protection Act, or a similar provision of a local ordinance,
26 fees collected for electronic monitoring, drug or alcohol
27 testing and screening, probation fees authorized under
28 Section 5-6-3 of the Unified Code of Corrections, and
29 supervision fees authorized under Section 5-6-3.1 of the
30 Unified Code of Corrections, shall be disbursed within 60
31 days after receipt by the circuit clerk as follows: 47%
32 shall be disbursed to the entity authorized by law to receive
33 the fine imposed in the case; 12% shall be disbursed to the

1 State Treasurer; and 41% shall be disbursed to the county's
2 general corporate fund. Of the 12% disbursed to the State
3 Treasurer, 1/6 shall be deposited by the State Treasurer into
4 the Violent Crime Victims Assistance Fund, 1/2 shall be
5 deposited into the Traffic and Criminal Conviction Surcharge
6 Fund, and 1/3 shall be deposited into the Drivers Education
7 Fund. For fiscal years 1992 and 1993, amounts deposited into
8 the Violent Crime Victims Assistance Fund, the Traffic and
9 Criminal Conviction Surcharge Fund, or the Drivers Education
10 Fund shall not exceed 110% of the amounts deposited into
11 those funds in fiscal year 1991. Any amount that exceeds the
12 110% limit shall be distributed as follows: 50% shall be
13 disbursed to the county's general corporate fund and 50%
14 shall be disbursed to the entity authorized by law to receive
15 the fine imposed in the case. Not later than March 1 of each
16 year the circuit clerk shall submit a report of the amount of
17 funds remitted to the State Treasurer under this Section
18 during the preceding year based upon independent verification
19 of fines and fees. All counties shall be subject to this
20 Section, except that counties with a population under
21 2,000,000 may, by ordinance, elect not to be subject to this
22 Section. For offenses subject to this Section, judges shall
23 impose one total sum of money payable for violations. The
24 circuit clerk may add on no additional amounts except for
25 amounts that are required by Sections 27.3a and 27.3c of this
26 Act, unless those amounts are specifically waived by the
27 judge. With respect to money collected by the circuit clerk
28 as a result of forfeiture of bail, ex parte judgment or
29 guilty plea pursuant to Supreme Court Rule 529, the circuit
30 clerk shall first deduct and pay amounts required by Sections
31 27.3a and 27.3c of this Act. This Section is a denial and
32 limitation of home rule powers and functions under subsection
33 (h) of Section 6 of Article VII of the Illinois Constitution.
34 (Source: P.A. 89-234, eff. 1-1-96.)

1 (705 ILCS 105/27.6)

2 Sec. 27.6. (a) All fees, fines, costs, additional
3 penalties, bail balances assessed or forfeited, and any other
4 amount paid by a person to the circuit clerk equalling an
5 amount of \$55 or more, except the additional fee required by
6 subsections (b) and (c), restitution under Section 5-5-6 of
7 the Unified Code of Corrections, reimbursement for the costs
8 of an emergency response as provided under Section 5-5-3 of
9 the Unified Code of Corrections, any fees collected for
10 attending a traffic safety program under paragraph (c) of
11 Supreme Court Rule 529, any fee collected on behalf of a
12 State's Attorney under Section 4-2002 of the Counties Code or
13 a sheriff under Section 4-5001 of the Counties Code, or any
14 cost imposed under Section 124A-5 of the Code of Criminal
15 Procedure of 1963, for convictions, orders of supervision, or
16 any other disposition for a violation of Chapters 3, 4, 6,
17 11, and 12 of the Illinois Vehicle Code, or a similar
18 provision of a local ordinance, and any violation of the
19 Child Passenger Protection Act, or a similar provision of a
20 local ordinance, fees collected for electronic monitoring,
21 drug or alcohol testing and screening, probation fees
22 authorized under Section 5-6-3 of the Unified Code of
23 Corrections, and supervision fees authorized under Section
24 5-6-3.1 of the Unified Code of Corrections, shall be
25 disbursed within 60 days after receipt by the circuit clerk
26 as follows: 44.5% shall be disbursed to the entity
27 authorized by law to receive the fine imposed in the case;
28 16.825% shall be disbursed to the State Treasurer; and
29 38.675% shall be disbursed to the county's general corporate
30 fund. Of the 16.825% disbursed to the State Treasurer, 2/17
31 shall be deposited by the State Treasurer into the Violent
32 Crime Victims Assistance Fund, 5.052/17 shall be deposited
33 into the Traffic and Criminal Conviction Surcharge Fund, 3/17
34 shall be deposited into the Drivers Education Fund, and

1 6.948/17 shall be deposited into the Trauma Center Fund. Of
2 the 6.948/17 deposited into the Trauma Center Fund from the
3 16.825% disbursed to the State Treasurer, 50% shall be
4 disbursed to the Department of Public Health and 50% shall be
5 disbursed to the Department of Public Aid. For fiscal year
6 1993, amounts deposited into the Violent Crime Victims
7 Assistance Fund, the Traffic and Criminal Conviction
8 Surcharge Fund, or the Drivers Education Fund shall not
9 exceed 110% of the amounts deposited into those funds in
10 fiscal year 1991. Any amount that exceeds the 110% limit
11 shall be distributed as follows: 50% shall be disbursed to
12 the county's general corporate fund and 50% shall be
13 disbursed to the entity authorized by law to receive the fine
14 imposed in the case. Not later than March 1 of each year the
15 circuit clerk shall submit a report of the amount of funds
16 remitted to the State Treasurer under this Section during the
17 preceding year based upon independent verification of fines
18 and fees. All counties shall be subject to this Section,
19 except that counties with a population under 2,000,000 may,
20 by ordinance, elect not to be subject to this Section. For
21 offenses subject to this Section, judges shall impose one
22 total sum of money payable for violations. The circuit clerk
23 may add on no additional amounts except for amounts that are
24 required by Sections 27.3a and 27.3c of this Act, unless
25 those amounts are specifically waived by the judge. With
26 respect to money collected by the circuit clerk as a result
27 of forfeiture of bail, ex parte judgment or guilty plea
28 pursuant to Supreme Court Rule 529, the circuit clerk shall
29 first deduct and pay amounts required by Sections 27.3a and
30 27.3c of this Act. This Section is a denial and limitation of
31 home rule powers and functions under subsection (h) of
32 Section 6 of Article VII of the Illinois Constitution.

33 (b) In addition to any other fines and court costs
34 assessed by the courts, any person convicted or receiving an

1 order of supervision for driving under the influence of
2 alcohol or drugs shall pay an additional fee of \$25 to the
3 clerk of the circuit court. This amount, less 2 1/2% that
4 shall be used to defray administrative costs incurred by the
5 clerk, shall be remitted by the clerk to the Treasurer within
6 60 days after receipt for deposit into the Trauma Center
7 Fund. This additional fee of \$25 shall not be considered a
8 part of the fine for purposes of any reduction in the fine
9 for time served either before or after sentencing. Not later
10 than March 1 of each year the Circuit Clerk shall submit a
11 report of the amount of funds remitted to the State Treasurer
12 under this subsection during the preceding calendar year.

13 (c) In addition to any other fines and court costs
14 assessed by the courts, any person convicted for a violation
15 of Sections 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of
16 1961 or a person sentenced for a violation of the Cannabis
17 Control Act or the Controlled Substance Act shall pay an
18 additional fee of \$100 to the clerk of the circuit court.
19 This amount, less 2 1/2% that shall be used to defray
20 administrative costs incurred by the clerk, shall be remitted
21 by the clerk to the Treasurer within 60 days after receipt
22 for deposit into the Trauma Center Fund. This additional fee
23 of \$100 shall not be considered a part of the fine for
24 purposes of any reduction in the fine for time served either
25 before or after sentencing. Not later than March 1 of each
26 year the Circuit Clerk shall submit a report of the amount of
27 funds remitted to the State Treasurer under this subsection
28 during the preceding calendar year.

29 (Source: P.A. 89-105, eff. 1-1-96; 89-234, eff. 1-1-96;
30 89-516, eff. 7-18-96; 89-626, eff. 8-9-96.)

31 Section 99. Effective date. This Act takes effect
32 January 1, 2002."