

1 AN ACT concerning court filing 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 Sections 27.1, 27.1a, 27.2, 27.2a, and 27.5 as
6 follows:

7 (705 ILCS 105/27.1) (from Ch. 25, par. 27.1)

8 Sec. 27.1. The fees of the Clerk of the Circuit Court in
9 all counties having a population of 180,000 inhabitants or
10 less shall be paid in advance, except as otherwise provided,
11 and shall be as follows:

12 (a) Civil Cases.

- 13 (1) All civil cases except as otherwise
14 provided..... \$40
- 15 (2) Judicial Sales (except Probate)..... \$40

16 (b) Family.

- 17 (1) Commitment petitions under the Mental
18 Health and Developmental Disabilities Code, filing
19 transcript of commitment proceedings held in
20 another county, and cases under the Juvenile Court
21 Act of 1987..... \$25
- 22 (2) Petition for Marriage Licenses..... \$10
- 23 (3) Marriages in Court..... \$10
- 24 (4) Paternity..... \$40

25 (c) Criminal and Quasi-Criminal.

- 26 (1) Each person convicted of a felony..... \$40
- 27 (2) Each person convicted of a misdemeanor,
28 leaving scene of an accident, driving while
29 intoxicated, reckless driving or drag racing,
30 driving when license revoked or suspended,
31 overweight, or no interstate commerce certificate,

1 or when the disposition is court supervision..... \$25

2 (3) Each person convicted of a business

3 offense..... \$25

4 (4) Each person convicted of a petty offense. \$25

5 (5) Minor traffic, conservation, or

6 ordinance violation, including

7 without limitation when the disposition is

8 court supervision:

9 (i) For each offense..... \$10

10 (ii) For each notice sent to the

11 defendant's last known address pursuant to

12 subsection (c) of Section 6-306.4 of the Illinois

13 Vehicle Code..... \$2

14 (iii) For each notice sent to the

15 Secretary of State pursuant to subsection (c) of

16 Section 6-306.4 of the Illinois Vehicle Code..... \$2

17 (6) When Court Appearance required..... \$15

18 (7) Motions to vacate or amend final orders.. \$10

19 (8) In ordinance violation cases punishable

20 by fine only, the clerk of the circuit court shall

21 be entitled to receive, unless the fee is excused

22 upon a finding by the court that the defendant is

23 indigent, in addition to other fees or costs

24 allowed or imposed by law, the sum of \$62.50 as a

25 fee for the services of a jury. The jury fee shall

26 be paid by the defendant at the time of filing his

27 or her jury demand. If the fee is not so paid by

28 the defendant, no jury shall be called, and the

29 case shall be tried by the court without a jury.

30 (d) Other Civil Cases_

31 (1) Money or personal property claimed does

32 not exceed \$500..... \$10

33 (2) Exceeds \$500 but not more than \$10,000... \$25

34 (3) Exceeds \$10,000, when relief in addition

1 to or supplemental to recovery of money alone is
 2 sought in an action to recover personal property
 3 taxes or retailers occupational tax regardless of
 4 amount claimed..... \$45

5 (4) The Clerk of the Circuit Court shall be
 6 entitled to receive, in addition to other fees
 7 allowed by law, the sum of \$62.50, as a fee for the
 8 services of a jury in every civil action not
 9 quasi-criminal in its nature and not a proceeding
 10 for the exercise of the right of eminent domain,
 11 and in every equitable action wherein the right of
 12 trial by jury is or may be given by law. The jury
 13 fee shall be paid by the party demanding a jury at
 14 the time of filing his jury demand. If such a fee
 15 is not paid by either party, no jury shall be
 16 called in the action, suit, or proceeding, and the
 17 same shall be tried by the court without a jury.

18 (e) Confession of judgment and answer.

19 (1) When the amount does not exceed \$1,000... \$20

20 (2) Exceeds \$1,000..... \$40

21 (f) Auxiliary Proceedings.

22 Any auxiliary proceeding relating to the
 23 collection of a money judgment, including
 24 garnishment, citation, or wage deduction action.... \$5

25 (g) Forcible entry and detainer.

26 (1) For possession only or possession and
 27 rent not in excess of \$10,000..... \$10

28 (2) For possession and rent in excess of
 29 \$10,000..... \$40

30 (h) Eminent Domain.

31 (1) Exercise of Eminent Domain..... \$45

32 (2) For each and every lot or tract of land
 33 or right or interest therein subject to be
 34 condemned, the damages in respect to which shall

1 require separate assessments by a jury..... \$45

2 (i) Reinstatement.

3 Each case including petition for modification
4 of a judgment or order of Court if filed later than
5 30 days after the entry of a judgment or order,
6 except in forcible entry and detainer cases and
7 small claims and except a petition to modify,
8 terminate, or enforce a judgement or order for
9 child or spousal support or to modify, suspend, or
10 terminate an order for withholding, petition to
11 vacate judgment of dismissal for want of
12 prosecution whenever filed, petition to reopen an
13 estate, or redocketing of any cause..... \$20

14 (j) Probate.

15 (1) Administration of decedent's estates,
16 whether testate or intestate, guardianships of the
17 person or estate or both of a person under legal
18 disability, guardianships of the person or estate
19 or both of a minor or minors, or petitions to sell
20 real estate in the administration of any estate.... \$50

21 (2) Small estates in cases where the real and
22 personal property of an estate does not exceed
23 \$5,000..... \$25

24 (3) At any time during the administration of
25 the estate, however, at the request of the Clerk,
26 the Court shall examine the record of the estate
27 and the personal representative to determine the
28 total value of the real and personal property of
29 the estate, and if such value exceeds \$5,000 shall
30 order the payment of an additional fee in the
31 amount of..... \$40

32 (4) Inheritance tax proceedings..... \$15

33 (5) Issuing letters only for a certain
34 specific reason other than the administration of an

1 estate, including but not limited to the release of
 2 mortgage; the issue of letters of guardianship in
 3 order that consent to marriage may be granted or
 4 for some other specific reason other than for the
 5 care of property or person; proof of heirship
 6 without administration; or when a will is to be
 7 admitted to probate, but the estate is to be
 8 settled without administration..... \$10

9 (6) When a separate complaint relating to any
 10 matter other than a routine claim is filed in an
 11 estate, the required additional fee shall be
 12 charged for such filing..... \$45

13 (k) Change of Venue.

14 From a court, the charge is the same amount as
 15 the original filing fee; however, the fee for
 16 preparation and certification of record on change
 17 of venue, when original documents or copies are
 18 forwarded..... \$10

19 (l) Answer, adverse pleading, or appearance.

20 In civil cases..... \$15

21 With the following exceptions:

22 (1) When the amount does not exceed \$500..... \$5

23 (2) When amount exceeds \$500 but not \$10,000. \$10

24 (3) When amount exceeds \$10,000..... \$15

25 (4) Court appeals when documents are
 26 forwarded, over 200 pages, additional fee per page
 27 over 200..... 10¢

28 (m) Tax objection complaints.

29 For each tax objection complaint containing
 30 one or more tax objections, regardless of the
 31 number of parcels involved or the number of
 32 taxpayers joining the complaint..... \$10

33 (n) Tax deed.

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

1	is involved.....	\$45
2	(2) For each additional parcel involved, an	
3	additional fee of.....	\$10
4	(o) Mailing Notices and Processes.	
5	(1) All notices that the clerk is required to	
6	mail as first class mail.....	\$2
7	(2) For all processes or notices the Clerk is	
8	required to mail by certified or registered mail,	
9	the fee will be \$2 plus cost of postage.	
10	(p) Certification or Authentication.	
11	(1) Each certification or authentication for	
12	taking the acknowledgement of a deed or other	
13	instrument in writing with seal of office.....	\$2
14	(2) Court appeals when original documents are	
15	forwarded, 100 pages or under, plus delivery costs.	\$25
16	(3) Court appeals when original documents are	
17	forwarded, over 100 pages, plus delivery costs.....	\$60
18	(4) Court appeals when original documents are	
19	forwarded, over 200 pages, additional fee per page	
20	over 200.....	10¢
21	(q) Reproductions.	
22	Each record of proceedings and judgment,	
23	whether on appeal, change of venue, certified	
24	copies of orders and judgments, and all other	
25	instruments, documents, records, or papers:	
26	(1) First page.....	\$1
27	(2) Next 19 pages, per page.....	50¢
28	(3) All remaining pages, per page.....	25¢
29	(r) Counterclaim.	
30	When any defendant files a counterclaim as	
31	part of his or her answer or otherwise, or joins	
32	another party as a third party defendant, or both,	
33	he or she shall pay a fee for each such	
34	counterclaim or third party action in an amount	

1 equal to the fee he or she would have had to pay
2 had he or she brought a separate action for the
3 relief sought in the counterclaim or against the
4 third party defendant, less the amount of the
5 appearance fee, if that has been paid.

6 (s) Transcript of Judgment.

7 From a court, the same fee as if case
8 originally filed.

9 (t) Publications.

10 The cost of publication shall be paid directly
11 to the publisher by the person seeking the
12 publication, whether the clerk is required by law
13 to publish, or the parties to the action.

14 (u) Collections.

15 (1) For all collections made for others,
16 except the State and County and except in
17 maintenance or child support cases, a sum equal to
18 2% of the amount collected and turned over.

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

31 (3) In maintenance and child support matters,
32 the Clerk may deduct from each payment an amount
33 equal to the United States postage to be used in
34 mailing the maintenance or child support check to

1 the recipient. In such cases, the Clerk shall
2 collect an annual fee of up to \$36 from the person
3 making such payment for maintaining child support
4 records and the processing of support orders to the
5 State of Illinois KIDS system and the recording of
6 payments issued by the State Disbursement Unit for
7 the official record of the Court. Such sum shall be
8 in addition to and separate from amounts ordered to
9 be paid as maintenance or child support and shall
10 be deposited in a separate Maintenance and Child
11 Support Collection Fund of which the Clerk shall be
12 the custodian, ex officio, to be used by the Clerk
13 to maintain child support orders and record all
14 payments issued by the State Disbursement Unit for
15 the official record of the Court. Unless paid in
16 cash or pursuant to an order for withholding, the
17 payment of the fee shall be by a separate
18 instrument from the support payment and shall be
19 made to the order of the Clerk. The Clerk may
20 recover from the person making the maintenance or
21 child support payment any additional cost incurred
22 in the collection of this annual fee.

23 (4) Interest earned on any funds held by the
24 clerk shall be turned over to the county general
25 fund as an earning of the office.

26 The Clerk shall also be entitled to a fee of
27 \$5 for certifications made to the Secretary of
28 State as provided in Section 7-703 of the Family
29 Financial Responsibility Law and these fees shall
30 also be deposited into the Separate Maintenance and
31 Child Support Collection Fund.

32 (v) Correction of Cases.

33 For correcting the case number or case title
34 on any document filed in his office, to be charged

1 against the party that filed the document..... \$10

2 (w) Record Search.

3 For searching a record, per year searched..... \$4

4 (x) Printed Output.

5 For each page of hard copy print output, when
6 case records are maintained on an automated medium. \$2

7 (y) Alias Summons.

8 For each alias summons issued..... \$2

9 (z) Expungement of Records.

10 For each expungement petition filed..... \$15

11 (aa) Other Fees.

12 Any fees not covered by this Section shall be set by
13 rule or administrative order of the Circuit Court, with
14 the approval of the Supreme Court.

15 (bb) Exemptions.

16 No fee provided for herein shall be charged to any
17 unit of State or local government or school district
18 unless the Court orders another party to pay such fee on
19 its behalf. The fee requirements of this Section shall
20 not apply to police departments or other law enforcement
21 agencies. In this Section, "law enforcement agency"
22 means an agency of the State or a unit of local
23 government that is vested by law or ordinance with the
24 duty to maintain public order and to enforce criminal
25 laws and ordinances. The fee requirements of this Section
26 shall not apply to any action instituted under subsection
27 (b) of Section 11-31-1 of the Illinois Municipal Code by
28 a private owner or tenant of real property within 1200
29 feet of a dangerous or unsafe building seeking an order
30 compelling the owner or owners of the building to take
31 any of the actions authorized under that subsection.

32 (cc) Adoptions.

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

34 (2) Upon good cause shown, the court may waive the

1 adoption filing fee in a special needs adoption. The
2 term "special needs adoption" shall have the meaning
3 ascribed to it by the Illinois Department of Children and
4 Family Services.

5 (dd) Adoption exemptions.

6 No fee other than that set forth in subsection (cc)
7 shall be charged to any person in connection with an
8 adoption proceeding.

9 (ee) Additional Services.

10 Beginning July 1, 1993, the clerk of the circuit
11 court may provide such additional services for which
12 there is no fee specified by statute in connection with
13 the operation of the clerk's office as may be requested
14 by the public and agreed to by the public and by the
15 clerk and approved by the chief judge of the circuit
16 court. Any charges for additional services shall be as
17 agreed to between the clerk and the party making the
18 request and approved by the chief judge of the circuit
19 court. Nothing in this subsection shall be construed to
20 require any clerk to provide any service not otherwise
21 required by law.

22 (ff) Driving while intoxicated.

23 In addition to any other fee required under this
24 Section, the clerk of the court must collect a \$2 fee in
25 connection with proceedings for violations of Section
26 11-501 of the Illinois Vehicle Code. The fees collected
27 under this subsection must be remitted to the State
28 Treasurer for deposit into the Spinal Cord Injury
29 Paralysis Cure Research Trust Fund.

30 (Source: P.A. 90-466, eff. 8-17-97; 90-796, eff. 12-15-98;
31 91-165, eff. 7-16-99; 91-321, eff. 1-1-00; 91-357, eff.
32 7-29-99; 91-612, eff. 10-1-99; revised 10-26-99.)

33 (705 ILCS 105/27.1a) (from Ch. 25, par. 27.1a)

1 Sec. 27.1a. The fees of the clerks of the circuit court
2 in all counties having a population in excess of 180,000 but
3 not more than 650,000 inhabitants in the instances described
4 in this Section shall be as provided in this Section. The
5 fees shall be paid in advance and shall be as follows:

6 (a) Civil Cases.

7 The fee for filing a complaint, petition, or other
8 pleading initiating a civil action, with the following
9 exceptions, shall be \$150.

10 (A) When the amount of money or damages or the
11 value of personal property claimed does not exceed
12 \$250, \$10.

13 (B) When that amount exceeds \$250 but does not
14 exceed \$500, \$20.

15 (C) When that amount exceeds \$500 but does not
16 exceed \$2500, \$30.

17 (D) When that amount exceeds \$2500 but does
18 not exceed \$15,000, \$75.

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

24 (a-1) Family.

25 For filing a petition under the Juvenile Court Act
26 of 1987, \$25.

27 For filing a petition for a marriage license, \$10.

28 For performing a marriage in court, \$10.

29 For filing a petition under the Illinois Parentage
30 Act of 1984, \$40.

31 (b) Forcible Entry and Detainer.

32 In each forcible entry and detainer case when the
33 plaintiff seeks possession only or unites with his or her
34 claim for possession of the property a claim for rent or

1 damages or both in the amount of \$15,000 or less, \$40.
2 When the plaintiff unites his or her claim for possession
3 with a claim for rent or damages or both exceeding
4 \$15,000, \$150.

5 (c) Counterclaim or Joining Third Party Defendant.

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

15 (d) Confession of Judgment.

16 In a confession of judgment when the amount does not
17 exceed \$1500, \$50. When the amount exceeds \$1500, but
18 does not exceed \$15,000, \$115. When the amount exceeds
19 \$15,000, \$200.

20 (e) Appearance.

21 The fee for filing an appearance in each civil case
22 shall be \$50, except as follows:

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

25 (B) When the amount in the case does not
26 exceed \$1500, \$20.

27 (C) When that amount exceeds \$1500 but does
28 not exceed \$15,000, \$40.

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

30 In garnishment affidavit, wage deduction affidavit,
31 and citation petition when the amount does not exceed
32 \$1,000, \$10; when the amount exceeds \$1,000 but does not
33 exceed \$5,000, \$20; and when the amount exceeds \$5,000,
34 \$30.

1 (g) Petition to Vacate or Modify.

2 (1) Petition to vacate or modify any final judgment
3 or order of court, except in forcible entry and detainer
4 cases and small claims cases or a petition to reopen an
5 estate, to modify, terminate, or enforce a judgment or
6 order for child or spousal support, or to modify,
7 suspend, or terminate an order for withholding, if filed
8 before 30 days after the entry of the judgment or order,
9 \$40.

10 (2) Petition to vacate or modify any final judgment
11 or order of court, except a petition to modify,
12 terminate, or enforce a judgment or order for child or
13 spousal support or to modify, suspend, or terminate an
14 order for withholding, if filed later than 30 days after
15 the entry of the judgment or order, \$60.

16 (3) Petition to vacate order of bond forfeiture,
17 \$20.

18 (h) Mailing.

19 When the clerk is required to mail, the fee will be
20 \$6, plus the cost of postage.

21 (i) Certified Copies.

22 Each certified copy of a judgment after the first,
23 except in small claims and forcible entry and detainer
24 cases, \$10.

25 (j) Habeas Corpus.

26 For filing a petition for relief by habeas corpus,
27 \$80.

28 (k) Certification, Authentication, and Reproduction.

29 (1) Each certification or authentication for taking
30 the acknowledgment of a deed or other instrument in
31 writing with the seal of office, \$4.

32 (2) Court appeals when original documents are
33 forwarded, under 100 pages, plus delivery and costs, \$50.

34 (3) Court appeals when original documents are

1 forwarded, over 100 pages, plus delivery and costs, \$120.

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

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

7 (A) First page, \$2.

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

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

10 (l) Remands.

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

22 (m) Record Search.

23 For each record search, within a division or
24 municipal district, the clerk shall be entitled to a
25 search fee of \$4 for each year searched.

26 (n) Hard Copy.

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

30 (o) Index Inquiry and Other Records.

31 No fee shall be charged for a single
32 plaintiff/defendant index inquiry or single case record
33 inquiry when this request is made in person and the
34 records are maintained in a current automated medium, and

1 when no hard copy print output is requested. The fees to
2 be charged for management records, multiple case records,
3 and multiple journal records may be specified by the
4 Chief Judge pursuant to the guidelines for access and
5 dissemination of information approved by the Supreme
6 Court.

7 (p) Commitment Petitions.

8 For filing commitment petitions under the Mental
9 Health and Developmental Disabilities Code and for filing
10 a transcript of commitment proceedings held in another
11 county, \$25.

12 (q) Alias Summons.

13 For each alias summons or citation issued by the
14 clerk, \$4.

15 (r) Other Fees.

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

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

31 (s) Jury Services.

32 The clerk shall be entitled to receive, in addition
33 to other fees allowed by law, the sum of \$192.50, as a
34 fee for the services of a jury in every civil action not

1 quasi-criminal in its nature and not a proceeding for the
2 exercise of the right of eminent domain and in every
3 other action wherein the right of trial by jury is or may
4 be given by law. The jury fee shall be paid by the party
5 demanding a jury at the time of filing the jury demand.
6 If the fee is not paid by either party, no jury shall be
7 called in the action or proceeding, and the same shall be
8 tried by the court without a jury.

9 (t) Voluntary Assignment.

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

22 (u) Expungement Petition.

23 The clerk shall be entitled to receive a fee of \$30
24 for each expungement petition filed and an additional fee
25 of \$2 for each certified copy of an order to expunge
26 arrest records.

27 (v) Probate.

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

32 (1) For administration of the estate of a decedent
33 (whether testate or intestate) or of a missing person,
34 \$100, plus the fees specified in subsection (v)(3),

1 except:

2 (A) When the value of the real and personal
3 property does not exceed \$15,000, the fee shall be
4 \$25.

5 (B) When (i) proof of heirship alone is made,
6 (ii) a domestic or foreign will is admitted to
7 probate without administration (including proof of
8 heirship), or (iii) letters of office are issued for
9 a particular purpose without administration of the
10 estate, the fee shall be \$25.

11 (2) For administration of the estate of a ward,
12 \$50, plus the fees specified in subsection (v)(3),
13 except:

14 (A) When the value of the real and personal
15 property does not exceed \$15,000, the fee shall be
16 \$25.

17 (B) When (i) letters of office are issued to a
18 guardian of the person or persons, but not of the
19 estate or (ii) letters of office are issued in the
20 estate of a ward without administration of the
21 estate, including filing or joining in the filing of
22 a tax return or releasing a mortgage or consenting
23 to the marriage of the ward, the fee shall be \$10.

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

27 (A) For each account (other than one final
28 account) filed in the estate of a decedent, or ward,
29 \$15.

30 (B) For filing a claim in an estate when the
31 amount claimed is \$150 or more but less than \$500,
32 \$10; when the amount claimed is \$500 or more but
33 less than \$10,000, \$25; when the amount claimed is
34 \$10,000 or more, \$40; provided that the court in

1 allowing a claim may add to the amount allowed the
2 filing fee paid by the claimant.

3 (C) For filing in an estate a claim, petition,
4 or supplemental proceeding based upon an action
5 seeking equitable relief including the construction
6 or contest of a will, enforcement of a contract to
7 make a will, and proceedings involving testamentary
8 trusts or the appointment of testamentary trustees,
9 \$40.

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

15 (E) Except as provided in subsection
16 (v)(3)(D), for filing the appearance of any person
17 or persons, \$10.

18 (F) For each jury demand, \$102.50.

19 (G) For disposition of the collection of a
20 judgment or settlement of an action or claim for
21 wrongful death of a decedent or of any cause of
22 action of a ward, when there is no other
23 administration of the estate, \$30, less any amount
24 paid under subsection (v)(1)(B) or (v)(2)(B) except
25 that if the amount involved does not exceed \$5,000,
26 the fee, including any amount paid under subsection
27 (v)(1)(B) or (v)(2)(B), shall be \$10.

28 (H) For each certified copy of letters of
29 office, of court order or other certification, \$1,
30 plus 50¢ per page in excess of 3 pages for the
31 document certified.

32 (I) For each exemplification, \$1, plus the fee
33 for certification.

34 (4) The executor, administrator, guardian,

1 petitioner, or other interested person or his or her
2 attorney shall pay the cost of publication by the clerk
3 directly to the newspaper.

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

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

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

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

- 18 (A) Felony complaints, \$80.
- 19 (B) Misdemeanor complaints, \$50.
- 20 (C) Business offense complaints, \$50.
- 21 (D) Petty offense complaints, \$50.
- 22 (E) Minor traffic or ordinance violations,
23 \$20.
- 24 (F) When court appearance required, \$30.
- 25 (G) Motions to vacate or amend final orders,
26 \$20.
- 27 (H) Motions to vacate bond forfeiture orders,
28 \$20.
- 29 (I) Motions to vacate ex parte judgments,
30 whenever filed, \$20.
- 31 (J) Motions to vacate judgment on forfeitures,
32 whenever filed, \$20.
- 33 (K) Motions to vacate "failure to appear" or
34 "failure to comply" notices sent to the Secretary of

1 State, \$20.

2 (2) In counties having a population in excess of
3 180,000 but not more than 650,000 inhabitants, when the
4 violation complaint is issued by a municipal police
5 department, the clerk shall be entitled to costs from
6 each person convicted therein as follows:

7 (A) Minor traffic or ordinance violations,
8 \$10.

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

10 (3) In ordinance violation cases punishable by fine
11 only, the clerk of the circuit court shall be entitled to
12 receive, unless the fee is excused upon a finding by the
13 court that the defendant is indigent, in addition to
14 other fees or costs allowed or imposed by law, the sum of
15 \$62.50 as a fee for the services of a jury. The jury fee
16 shall be paid by the defendant at the time of filing his
17 or her jury demand. If the fee is not so paid by the
18 defendant, no jury shall be called, and the case shall be
19 tried by the court without a jury.

20 (x) Transcripts of Judgment.

21 For the filing of a transcript of judgment, the
22 clerk shall be entitled to the same fee as if it were the
23 commencement of a new suit.

24 (y) Change of Venue.

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

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

31 (z) Tax objection complaints.

32 For each tax objection complaint containing one or
33 more tax objections, regardless of the number of parcels
34 involved or the number of taxpayers joining on the

1 complaint, \$25.

2 (aa) Tax Deeds.

3 (1) Petition for tax deed, if only one parcel is
4 involved, \$150.

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

6 (bb) Collections.

7 (1) For all collections made of others, except the
8 State and county and except in maintenance or child
9 support cases, a sum equal to 2.5% of the amount
10 collected and turned over.

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

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

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

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

6 (cc) Corrections of Numbers.

7 For correction of the case number, case title, or
 8 attorney computer identification number, if required by
 9 rule of court, on any document filed in the clerk's
 10 office, to be charged against the party that filed the
 11 document, \$15.

12 (dd) Exceptions.

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

21 (2) No fee provided herein shall be charged to any
 22 unit of local government or school district.

23 (3) The fee requirements of this Section shall not
 24 apply to any action instituted under subsection (b) of
 25 Section 11-31-1 of the Illinois Municipal Code by a
 26 private owner or tenant of real property within 1200 feet
 27 of a dangerous or unsafe building seeking an order
 28 compelling the owner or owners of the building to take
 29 any of the actions authorized under that subsection.

30 (ee) Adoptions.

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

32 (2) Upon good cause shown, the court may waive the
 33 adoption filing fee in a special needs adoption. The
 34 term "special needs adoption" shall have the meaning

1 ascribed to it by the Illinois Department of Children and
2 Family Services.

3 (ff) Adoption exemptions.

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

7 (gg) Driving while intoxicated.

8 In addition to any other fee required under this
9 Section, the clerk of the court must collect a \$2 fee in
10 connection with proceedings for violations of Section
11 11-501 of the Illinois Vehicle Code. The fees collected
12 under this subsection must be remitted to the State
13 Treasurer for deposit into the Spinal Cord Injury
14 Paralysis Cure Research Trust Fund.

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; revised 10-15-99.)

17 (705 ILCS 105/27.2) (from Ch. 25, par. 27.2)

18 Sec. 27.2. The fees of the clerks of the circuit court
19 in all counties having a population in excess of 650,000
20 inhabitants but less than 3,000,000 inhabitants in the
21 instances described in this Section shall be as provided in
22 this Section. In addition, the fees provided in this Section
23 shall apply to all units of local government and school
24 districts in counties with more than 3,000,000 inhabitants.
25 The fees shall be paid in advance and shall be as follows:

26 (a) Civil Cases.

27 The fee for filing a complaint, petition, or other
28 pleading initiating a civil action, with the following
29 exceptions, shall be \$150.

30 (A) When the amount of money or damages or the
31 value of personal property claimed does not exceed
32 \$250, \$10.

33 (B) When that amount exceeds \$250 but does not

1 exceed \$500, \$20.

2 (C) When that amount exceeds \$500 but does not
3 exceed \$2500, \$30.

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

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

11 (b) Forcible Entry and Detainer.

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

19 (c) Counterclaim or Joining Third Party Defendant.

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

29 (d) Confession of Judgment.

30 In a confession of judgment when the amount does not
31 exceed \$1500, \$50. When the amount exceeds \$1500, but
32 does not exceed \$15,000, \$115. When the amount exceeds
33 \$15,000, \$200.

34 (e) Appearance.

1 The fee for filing an appearance in each civil case
2 shall be \$50, except as follows:

3 (A) When the plaintiff in a forcible entry and
4 detainer case seeks possession only; \$20.

5 (B) When the amount in the case does not
6 exceed \$1500, \$20.

7 (C) When that amount exceeds \$1500 but does
8 not exceed \$15,000, \$40.

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

10 In garnishment affidavit, wage deduction affidavit,
11 and citation petition when the amount does not exceed
12 \$1,000, \$10; when the amount exceeds \$1,000 but does not
13 exceed \$5,000, \$20; and when the amount exceeds \$5,000,
14 \$30.

15 (g) Petition to Vacate or Modify.

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

24 (2) Petition to vacate or modify any final judgment
25 or order of court, except a petition to modify,
26 terminate, or enforce a judgment or order for child or
27 spousal support or to modify, suspend, or terminate an
28 order for withholding, if filed later than 30 days after
29 the entry of the judgment or order, \$60.

30 (3) Petition to vacate order of bond forfeiture,
31 \$20.

32 (h) Mailing.

33 When the clerk is required to mail, the fee will be
34 \$6, plus the cost of postage.

1 (i) Certified Copies.

2 Each certified copy of a judgment after the first,
3 except in small claims and forcible entry and detainer
4 cases, \$10.

5 (j) Habeas Corpus.

6 For filing a petition for relief by habeas corpus,
7 \$80.

8 (k) Certification, Authentication, and Reproduction.

9 (1) Each certification or authentication for taking
10 the acknowledgment of a deed or other instrument in
11 writing with the seal of office, \$4.

12 (2) Court appeals when original documents are
13 forwarded, under 100 pages, plus delivery and costs, \$50.

14 (3) Court appeals when original documents are
15 forwarded, over 100 pages, plus delivery and costs, \$120.

16 (4) Court appeals when original documents are
17 forwarded, over 200 pages, an additional fee of 20 cents
18 per page.

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

21 (A) First page, \$2.

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

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

24 (l) Remands.

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

1 trial after remand.

2 (m) Record Search.

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

6 (n) Hard Copy.

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

10 (o) Index Inquiry and Other Records.

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

21 (p) Commitment Petitions.

22 For filing commitment petitions under the Mental
23 Health and Developmental Disabilities Code, \$25.

24 (q) Alias Summons.

25 For each alias summons or citation issued by the
26 clerk, \$4.

27 (r) Other Fees.

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

32 The clerk of the circuit court may provide
33 additional services for which there is no fee specified
34 by statute in connection with the operation of the

1 clerk's office as may be requested by the public and
2 agreed to by the clerk and approved by the chief judge of
3 the circuit court. Any charges for additional services
4 shall be as agreed to between the clerk and the party
5 making the request and approved by the chief judge of the
6 circuit court. Nothing in this subsection shall be
7 construed to require any clerk to provide any service not
8 otherwise required by law.

9 (s) Jury Services.

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

21 (t) Voluntary Assignment.

22 For filing each deed of voluntary assignment, \$10;
23 for recording the same, 25¢ for each 100 words.
24 Exceptions filed to claims presented to an assignee of a
25 debtor who has made a voluntary assignment for the
26 benefit of creditors shall be considered and treated, for
27 the purpose of taxing costs therein, as actions in which
28 the party or parties filing the exceptions shall be
29 considered as party or parties plaintiff, and the
30 claimant or claimants as party or parties defendant, and
31 those parties respectively shall pay to the clerk the
32 same fees as provided by this Section to be paid in other
33 actions.

34 (u) Expungement Petition.

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

5 (v) Probate.

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

10 (1) For administration of the estate of a decedent
11 (whether testate or intestate) or of a missing person,
12 \$100, plus the fees specified in subsection (v)(3),
13 except:

14 (A) When the value of the real and personal
15 property does not exceed \$15,000, the fee shall be
16 \$25.

17 (B) When (i) proof of heirship alone is made,
18 (ii) a domestic or foreign will is admitted to
19 probate without administration (including proof of
20 heirship), or (iii) letters of office are issued for
21 a particular purpose without administration of the
22 estate, the fee shall be \$25.

23 (2) For administration of the estate of a ward,
24 \$50, plus the fees specified in subsection (v)(3),
25 except:

26 (A) When the value of the real and personal
27 property does not exceed \$15,000, the fee shall be
28 \$25.

29 (B) When (i) letters of office are issued to a
30 guardian of the person or persons, but not of the
31 estate or (ii) letters of office are issued in the
32 estate of a ward without administration of the
33 estate, including filing or joining in the filing of
34 a tax return or releasing a mortgage or consenting

1 to the marriage of the ward, the fee shall be \$10.

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

5 (A) For each account (other than one final
6 account) filed in the estate of a decedent, or ward,
7 \$15.

8 (B) For filing a claim in an estate when the
9 amount claimed is \$150 or more but less than \$500,
10 \$10; when the amount claimed is \$500 or more but
11 less than \$10,000, \$25; when the amount claimed is
12 \$10,000 or more, \$40; provided that the court in
13 allowing a claim may add to the amount allowed the
14 filing fee paid by the claimant.

15 (C) For filing in an estate a claim, petition,
16 or supplemental proceeding based upon an action
17 seeking equitable relief including the construction
18 or contest of a will, enforcement of a contract to
19 make a will, and proceedings involving testamentary
20 trusts or the appointment of testamentary trustees,
21 \$40.

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

27 (E) Except as provided in subsection
28 (v)(3)(D), for filing the appearance of any person
29 or persons, \$10.

30 (F) For each jury demand, \$102.50.

31 (G) For disposition of the collection of a
32 judgment or settlement of an action or claim for
33 wrongful death of a decedent or of any cause of
34 action of a ward, when there is no other

1 administration of the estate, \$30, less any amount
 2 paid under subsection (v)(1)(B) or (v)(2)(B) except
 3 that if the amount involved does not exceed \$5,000,
 4 the fee, including any amount paid under subsection
 5 (v)(1)(B) or (v)(2)(B), shall be \$10.

6 (H) For each certified copy of letters of
 7 office, of court order or other certification, \$1,
 8 plus 50¢ per page in excess of 3 pages for the
 9 document certified.

10 (I) For each exemplification, \$1, plus the fee
 11 for certification.

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

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

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

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

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

- 30 (A) Felony complaints, \$80.
- 31 (B) Misdemeanor complaints, \$50.
- 32 (C) Business offense complaints, \$50.
- 33 (D) Petty offense complaints, \$50.
- 34 (E) Minor traffic or ordinance violations,

1 \$20.

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

3 (G) Motions to vacate or amend final orders,
4 \$20.

5 (H) Motions to vacate bond forfeiture orders,
6 \$20.

7 (I) Motions to vacate ex parte judgments,
8 whenever filed, \$20.

9 (J) Motions to vacate judgment on forfeitures,
10 whenever filed, \$20.

11 (K) Motions to vacate "failure to appear" or
12 "failure to comply" notices sent to the Secretary of
13 State, \$20.

14 (2) In counties having a population of more than
15 650,000 but fewer than 3,000,000 inhabitants, when the
16 violation complaint is issued by a municipal police
17 department, the clerk shall be entitled to costs from
18 each person convicted therein as follows:

19 (A) Minor traffic or ordinance violations,
20 \$10.

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

22 (3) In ordinance violation cases punishable by fine
23 only, the clerk of the circuit court shall be entitled to
24 receive, unless the fee is excused upon a finding by the
25 court that the defendant is indigent, in addition to
26 other fees or costs allowed or imposed by law, the sum of
27 \$50 as a fee for the services of a jury. The jury fee
28 shall be paid by the defendant at the time of filing his
29 or her jury demand. If the fee is not so paid by the
30 defendant, no jury shall be called, and the case shall be
31 tried by the court without a jury.

32 (x) Transcripts of Judgment.

33 For the filing of a transcript of judgment, the
34 clerk shall be entitled to the same fee as if it were the

1 commencement of new suit.

2 (y) Change of Venue.

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

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

9 (z) Tax objection complaints.

10 For each tax objection complaint containing one or
11 more tax objections, regardless of the number of parcels
12 involved or the number of taxpayers joining in the
13 complaint, \$25.

14 (aa) Tax Deeds.

15 (1) Petition for tax deed, if only one parcel is
16 involved, \$150.

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

18 (bb) Collections.

19 (1) For all collections made of others, except the
20 State and county and except in maintenance or child
21 support cases, a sum equal to 2.5% of the amount
22 collected and turned over.

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

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

29 (4) In child support and maintenance cases, the
30 clerk, if authorized by an ordinance of the county board,
31 may collect an annual fee of up to \$36 from the person
32 making payment for maintaining child support records and
33 the processing of support orders to the State of Illinois
34 KIDS system and the recording of payments issued by the

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

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

18 (cc) Corrections of Numbers.

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

24 (dd) Exceptions.

25 The fee requirements of this Section shall not apply
26 to police departments or other law enforcement agencies.
27 In this Section, "law enforcement agency" means an agency
28 of the State or a unit of local government which is
29 vested by law or ordinance with the duty to maintain
30 public order and to enforce criminal laws or ordinances.
31 "Law enforcement agency" also means the Attorney General
32 or any state's attorney. The fee requirements of this
33 Section shall not apply to any action instituted under
34 subsection (b) of Section 11-31-1 of the Illinois

1 Municipal Code by a private owner or tenant of real
2 property within 1200 feet of a dangerous or unsafe
3 building seeking an order compelling the owner or owners
4 of the building to take any of the actions authorized
5 under that subsection.

6 (ee) Adoptions.

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

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

13 (ff) Adoption exemptions.

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

17 (gg) Driving while intoxicated.

18 In addition to any other fee required under this
19 Section, the clerk of the court must collect a \$2 fee in
20 connection with proceedings for violations of Section
21 11-501 of the Illinois Vehicle Code. The fees collected
22 under this subsection must be remitted to the State
23 Treasurer for deposit into the Spinal Cord Injury
24 Paralysis Cure Research Trust Fund.

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

27 (705 ILCS 105/27.2a) (from Ch. 25, par. 27.2a)

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

33 (a) Civil Cases.

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

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

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

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

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

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

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

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

26 (b) Forcible Entry and Detainer.

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

34 (c) Counterclaim or Joining Third Party Defendant.

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

10 (d) Confession of Judgment.

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

16 (e) Appearance.

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

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

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

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

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

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

31 (g) Petition to Vacate or Modify.

32 (1) Petition to vacate or modify any final judgment
33 or order of court, except in forcible entry and detainer
34 cases and small claims cases or a petition to reopen an

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

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

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

14 (h) Mailing.

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

17 (i) Certified Copies.

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

21 (j) Habeas Corpus.

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

24 (k) Certification, Authentication, and Reproduction.

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

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

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

32 (4) Court appeals when original documents are
33 forwarded, over 200 pages, an additional fee of 25 cents
34 per page.

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

3 (A) First page, \$2.

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

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

6 (l) Remands.

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

18 (m) Record Search.

19 For each record search, within a division or
20 municipal district, the clerk shall be entitled to a
21 search fee of \$6 for each year searched.

22 (n) Hard Copy.

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

26 (o) Index Inquiry and Other Records.

27 No fee shall be charged for a single
28 plaintiff/defendant index inquiry or single case record
29 inquiry when this request is made in person and the
30 records are maintained in a current automated medium, and
31 when no hard copy print output is requested. The fees to
32 be charged for management records, multiple case records,
33 and multiple journal records may be specified by the
34 Chief Judge pursuant to the guidelines for access and

1 dissemination of information approved by the Supreme
2 Court.

3 (p) Commitment Petitions.

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

6 (q) Alias Summons.

7 For each alias summons or citation issued by the
8 clerk, \$5.

9 (r) Other Fees.

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

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

25 (s) Jury Services.

26 The clerk shall be entitled to receive, in addition
27 to other fees allowed by law, the sum of \$212.50, as a
28 fee for the services of a jury in every civil action not
29 quasi-criminal in its nature and not a proceeding for the
30 exercise of the right of eminent domain and in every
31 other action wherein the right of trial by jury is or may
32 be given by law. The jury fee shall be paid by the party
33 demanding a jury at the time of filing the jury demand.
34 If the fee is not paid by either party, no jury shall be

1 called in the action or proceeding, and the same shall be
2 tried by the court without a jury.

3 (t) Voluntary Assignment.

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

16 (u) Expungement Petition.

17 The clerk shall be entitled to receive a fee of \$60
18 for each expungement petition filed and an additional fee
19 of \$4 for each certified copy of an order to expunge
20 arrest records.

21 (v) Probate.

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

26 (1) For administration of the estate of a decedent
27 (whether testate or intestate) or of a missing person,
28 \$150, plus the fees specified in subsection (v)(3),
29 except:

30 (A) When the value of the real and personal
31 property does not exceed \$15,000, the fee shall be
32 \$40.

33 (B) When (i) proof of heirship alone is made,
34 (ii) a domestic or foreign will is admitted to

1 probate without administration (including proof of
2 heirship), or (iii) letters of office are issued for
3 a particular purpose without administration of the
4 estate, the fee shall be \$40.

5 (2) For administration of the estate of a ward,
6 \$75, plus the fees specified in subsection (v)(3),
7 except:

8 (A) When the value of the real and personal
9 property does not exceed \$15,000, the fee shall be
10 \$40.

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

18 (3) In addition to the fees payable under
19 subsection (v)(1) or (v)(2) of this Section, the
20 following fees are payable:

21 (A) For each account (other than one final
22 account) filed in the estate of a decedent, or ward,
23 \$25.

24 (B) For filing a claim in an estate when the
25 amount claimed is \$150 or more but less than \$500,
26 \$20; when the amount claimed is \$500 or more but
27 less than \$10,000, \$40; when the amount claimed is
28 \$10,000 or more, \$60; provided that the court in
29 allowing a claim may add to the amount allowed the
30 filing fee paid by the claimant.

31 (C) For filing in an estate a claim, petition,
32 or supplemental proceeding based upon an action
33 seeking equitable relief including the construction
34 or contest of a will, enforcement of a contract to

1 make a will, and proceedings involving testamentary
2 trusts or the appointment of testamentary trustees,
3 \$60.

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

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

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

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

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

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

28 (4) The executor, administrator, guardian,
29 petitioner, or other interested person or his or her
30 attorney shall pay the cost of publication by the clerk
31 directly to the newspaper.

32 (5) The person on whose behalf a charge is incurred
33 for witness, court reporter, appraiser, or other
34 miscellaneous fee shall pay the same directly to the

1 person entitled thereto.

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

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

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

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

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

- 34 (A) Minor traffic or ordinance violations,

1 \$30.

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

3 (3) In ordinance violation cases punishable by fine
4 only, the clerk of the circuit court shall be entitled to
5 receive, unless the fee is excused upon a finding by the
6 court that the defendant is indigent, in addition to
7 other fees or costs allowed or imposed by law, the sum of
8 \$112.50 as a fee for the services of a jury. The jury
9 fee shall be paid by the defendant at the time of filing
10 his or her jury demand. If the fee is not so paid by the
11 defendant, no jury shall be called, and the case shall be
12 tried by the court without a jury.

13 (x) Transcripts of Judgment.

14 For the filing of a transcript of judgment, the
15 clerk shall be entitled to the same fee as if it were the
16 commencement of a new suit.

17 (y) Change of Venue.

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

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

24 (z) Tax objection complaints.

25 For each tax objection complaint containing one or
26 more tax objections, regardless of the number of parcels
27 involved or the number of taxpayers joining in the
28 complaint, \$50.

29 (aa) Tax Deeds.

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

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

33 (bb) Collections.

34 (1) For all collections made of others, except the

1 State and county and except in maintenance or child
2 support cases, a sum equal to 3.0% of the amount
3 collected and turned over.

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

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

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

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

33 (cc) Corrections of Numbers.

34 For correction of the case number, case title, or

1 attorney computer identification number, if required by
2 rule of court, on any document filed in the clerk's
3 office, to be charged against the party that filed the
4 document, \$25.

5 (dd) Exceptions.

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

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

23 (ee) Adoption.

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

25 (2) Upon good cause shown, the court may waive the
26 adoption filing fee in a special needs adoption. The
27 term "special needs adoption" shall have the meaning
28 ascribed to it by the Illinois Department of Children and
29 Family Services.

30 (ff) Adoption exemptions.

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

34 (gg) Driving while intoxicated.

1 In addition to any other fee required under this
2 Section, the clerk of the court must collect a \$2 fee in
3 connection with proceedings for violations of Section
4 11-501 of the Illinois Vehicle Code. The fees collected
5 under this subsection must be remitted to the State
6 Treasurer for deposit into the Spinal Cord Injury
7 Paralysis Cure Research Trust Fund.

8 (Source: P.A. 90-466, eff. 8-17-97; 90-796, eff. 12-15-98;
9 91-321, eff. 1-1-00; 91-612, eff. 10-1-99; 91-821, eff.
10 6-13-00.)

11 (705 ILCS 105/27.5) (from Ch. 25, par. 27.5)

12 Sec. 27.5. (a) All fees, fines, costs, additional
13 penalties, bail balances assessed or forfeited, and any other
14 amount paid by a person to the circuit clerk that equals an
15 amount less than \$55, except restitution under Section 5-5-6
16 of the Unified Code of Corrections, reimbursement for the
17 costs of an emergency response as provided under Section
18 5-5-3 of the Unified Code of Corrections, any fees collected
19 for attending a traffic safety program under paragraph (c) of
20 Supreme Court Rule 529, any fee collected on behalf of a
21 State's Attorney under Section 4-2002 of the Counties Code or
22 a sheriff under Section 4-5001 of the Counties Code, or any
23 cost imposed under Section 124A-5 of the Code of Criminal
24 Procedure of 1963, for convictions, orders of supervision, or
25 any other disposition for a violation of Chapters 3, 4, 6,
26 11, and 12 of the Illinois Vehicle Code, or a similar
27 provision of a local ordinance, and any violation of the
28 Child Passenger Protection Act, or a similar provision of a
29 local ordinance, shall be disbursed within 60 days after
30 receipt by the circuit clerk as follows: 47% shall be
31 disbursed to the entity authorized by law to receive the fine
32 imposed in the case; 12% shall be disbursed to the State
33 Treasurer; and 41% shall be disbursed to the county's general

1 corporate fund. Of the 12% disbursed to the State Treasurer,
2 1/6 shall be deposited by the State Treasurer into the
3 Violent Crime Victims Assistance Fund, 1/2 shall be deposited
4 into the Traffic and Criminal Conviction Surcharge Fund, and
5 1/3 shall be deposited into the Drivers Education Fund. For
6 fiscal years 1992 and 1993, amounts deposited into the
7 Violent Crime Victims Assistance Fund, the Traffic and
8 Criminal Conviction Surcharge Fund, or the Drivers Education
9 Fund shall not exceed 110% of the amounts deposited into
10 those funds in fiscal year 1991. Any amount that exceeds the
11 110% limit shall be distributed as follows: 50% shall be
12 disbursed to the county's general corporate fund and 50%
13 shall be disbursed to the entity authorized by law to receive
14 the fine imposed in the case. Not later than March 1 of each
15 year the circuit clerk shall submit a report of the amount of
16 funds remitted to the State Treasurer under this Section
17 during the preceding year based upon independent verification
18 of fines and fees. All amounts collected as a \$2 additional
19 fee for violations of Section 11-501 of the Illinois Vehicle
20 Code must be remitted to the State Treasurer for deposit into
21 the Spinal Cord Injury Paralysis Cure Research Trust Fund.

22 (b) All counties shall be subject to this Section,
23 except that counties with a population under 2,000,000 may,
24 by ordinance, elect not to be subject to this Section. For
25 offenses subject to this Section, judges shall impose one
26 total sum of money payable for violations. The circuit clerk
27 may add on no additional amounts except for amounts that are
28 required by Sections 27.3a and 27.3c of this Act, unless
29 those amounts are specifically waived by the judge. With
30 respect to money collected by the circuit clerk as a result
31 of forfeiture of bail, ex parte judgment or guilty plea
32 pursuant to Supreme Court Rule 529, the circuit clerk shall
33 first deduct and pay amounts required by Sections 27.3a and
34 27.3c of this Act.

1 (c) This Section is a denial and limitation of home rule
2 powers and functions under subsection (h) of Section 6 of
3 Article VII of the Illinois Constitution.

4 (Source: P.A. 89-234, eff. 1-1-96.)

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.