

1 AN ACT in relation to circuit clerks.

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

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

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

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

15 (a) Civil Cases.

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

19 (A) When the amount of money or damages or the  
20 value of personal property claimed does not exceed  
21 \$250, ~~\$15~~ \$10.

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

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

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

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

30 (E) For the exercise of eminent domain, \$150.

31 For each additional lot or tract of land or right or

1 interest therein subject to be condemned, the  
2 damages in respect to which shall require separate  
3 assessment by a jury, \$150.

4 (b) Forcible Entry and Detainer.

5 In each forcible entry and detainer case when the  
6 plaintiff seeks possession only or unites with his or her  
7 claim for possession of the property a claim for rent or  
8 damages or both in the amount of \$15,000 or less, \$75  
9 \$40. When the plaintiff unites his or her claim for  
10 possession with a claim for rent or damages or both  
11 exceeding \$15,000, \$225 \$150.

12 (c) Counterclaim or Joining Third Party Defendant.

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

22 (d) Confession of Judgment.

23 In a confession of judgment when the amount does not  
24 exceed \$1500, \$60 \$50. When the amount exceeds \$1500, but  
25 does not exceed \$5,000 \$15,000, \$75 \$115. When the amount  
26 exceeds \$5,000, but does not exceed \$15,000, \$175. When  
27 the amount exceeds \$15,000, \$250 \$200.

28 (e) Appearance.

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

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

33 (B) When the amount in the case does not  
34 exceed \$1500, \$40 \$20.

1 (C) When ~~the~~ that amount in the case exceeds  
2 \$1500 but does not exceed \$15,000, ~~\$60~~ \$40.

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

4 In garnishment affidavit, wage deduction affidavit,  
5 and citation petition when the amount does not exceed  
6 \$1,000, ~~\$15~~ \$10; when the amount exceeds \$1,000 but does  
7 not exceed \$5,000, ~~\$30~~ \$20; and when the amount exceeds  
8 \$5,000, ~~\$50~~ \$30.

9 (g) Petition to Vacate or Modify.

10 (1) Petition to vacate or modify any final judgment  
11 or order of court, except in forcible entry and detainer  
12 cases and small claims cases or a petition to reopen an  
13 estate, to modify, terminate, or enforce a judgment or  
14 order for child or spousal support, or to modify,  
15 suspend, or terminate an order for withholding, if filed  
16 before 30 days after the entry of the judgment or order,  
17 ~~\$50~~ \$40.

18 (2) Petition to vacate or modify any final judgment  
19 or order of court, except a petition to modify,  
20 terminate, or enforce a judgment or order for child or  
21 spousal support or to modify, suspend, or terminate an  
22 order for withholding, if filed later than 30 days after  
23 the entry of the judgment or order, ~~\$75~~ \$60.

24 (3) Petition to vacate order of bond forfeiture,  
25 ~~\$40~~ \$20.

26 (h) Mailing.

27 When the clerk is required to mail, the fee will be  
28 ~~\$10~~ \$6, plus the cost of postage.

29 (i) Certified Copies.

30 Each certified copy of a judgment after the first,  
31 except in small claims and forcible entry and detainer  
32 cases, ~~\$15~~ \$10.

33 (j) Habeas Corpus.

34 For filing a petition for relief by habeas corpus,

1        \$125 \$80.

2        (k) Certification, Authentication, and Reproduction.

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

6            (2) Court appeals when original documents are  
7        forwarded, under 100 pages, plus delivery and costs, \$75  
8        \$50.

9            (3) Court appeals when original documents are  
10       forwarded, over 100 pages, plus delivery and costs, \$150  
11       \$120.

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

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

17                    (A) First page, \$2.

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

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

20        (l) Remands.

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

32        (m) Record Search.

33            For each record search, within a division or  
34       municipal district, the clerk shall be entitled to a

1 search fee of \$6 \$4 for each year searched.

2 (n) Hard Copy.

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

6 (o) Index Inquiry and Other Records.

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

17 (p) Commitment Petitions.

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

20 (q) Alias Summons.

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

23 (r) Other Fees.

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

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

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

5 (s) Jury Services.

6 The clerk shall be entitled to receive, in addition  
7 to other fees allowed by law, the sum of \$212.50 ~~\$192.50~~,  
8 as a fee for the services of a jury in every civil action  
9 not quasi-criminal in its nature and not a proceeding for  
10 the exercise of the right of eminent domain and in every  
11 other action wherein the right of trial by jury is or may  
12 be given by law. The jury fee shall be paid by the party  
13 demanding a jury at the time of filing the jury demand.  
14 If the fee is not paid by either party, no jury shall be  
15 called in the action or proceeding, and the same shall be  
16 tried by the court without a jury.

17 (t) Voluntary Assignment.

18 For filing each deed of voluntary assignment, \$20  
19 ~~\$10~~; for recording the same, \$0.50 ~~25¢~~ for each 100  
20 words. Exceptions filed to claims presented to an  
21 assignee of a debtor who has made a voluntary assignment  
22 for the benefit of creditors shall be considered and  
23 treated, for the purpose of taxing costs therein, as  
24 actions in which the party or parties filing the  
25 exceptions shall be considered as party or parties  
26 plaintiff, and the claimant or claimants as party or  
27 parties defendant, and those parties respectively shall  
28 pay to the clerk the same fees as provided by this  
29 Section to be paid in other actions.

30 (u) Expungement Petition.

31 The clerk shall be entitled to receive a fee of \$60  
32 ~~\$30~~ for each expungement petition filed and an additional  
33 fee of \$4 ~~\$2~~ for each certified copy of an order to  
34 expunge arrest records.

1 (v) Probate.

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

6 (1) For administration of the estate of a decedent  
7 (whether testate or intestate) or of a missing person,  
8 \$150 ~~\$100~~, plus the fees specified in subsection (v)(3),  
9 except:

10 (A) When the value of the real and personal  
11 property does not exceed \$15,000, the fee shall be  
12 \$40 ~~\$25~~.

13 (B) When (i) proof of heirship alone is made,  
14 (ii) a domestic or foreign will is admitted to  
15 probate without administration (including proof of  
16 heirship), or (iii) letters of office are issued for  
17 a particular purpose without administration of the  
18 estate, the fee shall be \$40 ~~\$25~~.

19 (2) For administration of the estate of a ward, \$75  
20 ~~\$50~~, plus the fees specified in subsection (v)(3),  
21 except:

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

25 (B) When (i) letters of office are issued to a  
26 guardian of the person or persons, but not of the  
27 estate or (ii) letters of office are issued in the  
28 estate of a ward without administration of the  
29 estate, including filing or joining in the filing of  
30 a tax return or releasing a mortgage or consenting  
31 to the marriage of the ward, the fee shall be \$20  
32 ~~\$10~~.

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

1 following fees are payable:

2 (A) For each account (other than one final  
3 account) filed in the estate of a decedent, or ward,  
4 \$25 ~~\$15~~.

5 (B) For filing a claim in an estate when the  
6 amount claimed is \$150 or more but less than \$500,  
7 \$20 ~~\$10~~; when the amount claimed is \$500 or more but  
8 less than \$10,000, \$40 ~~\$25~~; when the amount claimed  
9 is \$10,000 or more, \$60 ~~\$40~~; provided that the court  
10 in allowing a claim may add to the amount allowed  
11 the filing fee paid by the claimant.

12 (C) For filing in an estate a claim, petition,  
13 or supplemental proceeding based upon an action  
14 seeking equitable relief including the construction  
15 or contest of a will, enforcement of a contract to  
16 make a will, and proceedings involving testamentary  
17 trusts or the appointment of testamentary trustees,  
18 \$60 ~~\$40~~.

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

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

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

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



1 \$5,000, the fee, including any amount paid under  
2 subsection (v)(1)(B) or (v)(2)(B), shall be \$20 ~~\$10~~.

3 (H) For each certified copy of letters of  
4 office, of court order or other certification, \$2  
5 ~~\$1~~, plus \$1 ~~50¢~~ per page in excess of 3 pages for  
6 the document certified.

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

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

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

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

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

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

- 27 (A) Felony complaints, \$125 ~~\$80~~.
- 28 (B) Misdemeanor complaints, \$75 ~~\$50~~.
- 29 (C) Business offense complaints, \$75 ~~\$50~~.
- 30 (D) Petty offense complaints, \$75 ~~\$50~~.
- 31 (E) Minor traffic or ordinance violations,  
32 \$20.
- 33 (F) When court appearance required, \$30.
- 34 (G) Motions to vacate or amend final orders,

1           \$40 \$20.

2           (H) Motions to vacate bond forfeiture orders,  
3           \$30 \$20.

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

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

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

11          (2) In counties having a population of more than  
12          650,000 but fewer than 3,000,000 inhabitants, when the  
13          violation complaint is issued by a municipal police  
14          department, the clerk shall be entitled to costs from  
15          each person convicted therein as follows:

16                 (A) Minor traffic or ordinance violations, \$30  
17                 \$10.

18                 (B) When court appearance required, \$50 \$15.

19          (3) In ordinance violation cases punishable by fine  
20          only, the clerk of the circuit court shall be entitled to  
21          receive, unless the fee is excused upon a finding by the  
22          court that the defendant is indigent, in addition to  
23          other fees or costs allowed or imposed by law, the sum of  
24          \$112.50 \$50 as a fee for the services of a jury. The  
25          jury fee shall be paid by the defendant at the time of  
26          filing his or her jury demand. If the fee is not so paid  
27          by the defendant, no jury shall be called, and the case  
28          shall be tried by the court without a jury.

29          (x) Transcripts of Judgment.

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

33          (y) Change of Venue.

34                 (1) For the filing of a change of case on a change

1 of venue, the clerk shall be entitled to the same fee as  
2 if it were the commencement of a new suit.

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

6 (z) Tax objection complaints.

7 For each tax objection complaint containing one or  
8 more tax objections, regardless of the number of parcels  
9 involved or the number of taxpayers joining in the  
10 complaint, \$50 \$25.

11 (aa) Tax Deeds.

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

14 (2) For each additional parcel, add a fee of \$100  
15 \$50.

16 (bb) Collections.

17 (1) For all collections made of others, except the  
18 State and county and except in maintenance or child  
19 support cases, a sum equal to 3.0% 2-5% of the amount  
20 collected and turned over.

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

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

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

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

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

16 (cc) Corrections of Numbers.

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

22 (dd) Exceptions.

23 The fee requirements of this Section shall not apply  
24 to police departments or other law enforcement agencies.  
25 In this Section, "law enforcement agency" means an agency  
26 of the State or a unit of local government which is  
27 vested by law or ordinance with the duty to maintain  
28 public order and to enforce criminal laws or ordinances.  
29 "Law enforcement agency" also means the Attorney General  
30 or any state's attorney. The fee requirements of this  
31 Section shall not apply to any action instituted under  
32 subsection (b) of Section 11-31-1 of the Illinois  
33 Municipal Code by a private owner or tenant of real  
34 property within 1200 feet of a dangerous or unsafe

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

4 (ee) Adoptions.

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

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

11 (ff) Adoption exemptions.

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

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