

1 AMENDMENT TO SENATE BILL 1971

2 AMENDMENT NO. _____. Amend Senate Bill 1971 by replacing
3 everything after the enacting clause with the following:

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 (Text of Section before amendment by P.A. 92-521)

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

16 (a) Civil Cases.

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

20 (A) When the amount of money or damages or the
21 value of personal property claimed does not exceed
22 \$250, \$10.

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

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

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

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

12 (b) Forcible Entry and Detainer.

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

20 (c) Counterclaim or Joining Third Party Defendant.

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

30 (d) Confession of Judgment.

31 In a confession of judgment when the amount does not
32 exceed \$1500, \$50. When the amount exceeds \$1500, but
33 does not exceed \$15,000, \$115. When the amount exceeds
34 \$15,000, \$200.

1 (e) Appearance.

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

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

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

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

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

11 In garnishment affidavit, wage deduction affidavit,
12 and citation petition when the amount does not exceed
13 \$1,000, \$10; when the amount exceeds \$1,000 but does not
14 exceed \$5,000, \$20; and when the amount exceeds \$5,000,
15 \$30.

16 (g) Petition to Vacate or Modify.

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

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

31 (3) Petition to vacate order of bond forfeiture,
32 \$20.

33 (h) Mailing.

34 When the clerk is required to mail, the fee will be

1 \$6, plus the cost of postage.

2 (i) Certified Copies.

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

6 (j) Habeas Corpus.

7 For filing a petition for relief by habeas corpus,
8 \$80.

9 (k) Certification, Authentication, and Reproduction.

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

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

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

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

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

22 (A) First page, \$2.

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

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

25 (l) Remands.

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

1 fee or charge shall be made for a jury trial after
2 remand.

3 (m) Record Search.

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

7 (n) Hard Copy.

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

11 (o) Index Inquiry and Other Records.

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

22 (p) Commitment Petitions.

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

25 (q) Alias Summons.

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

28 (r) Other Fees.

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

33 The clerk of the circuit court may provide
34 additional services for which there is no fee specified

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

10 (s) Jury Services.

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

22 (t) Voluntary Assignment.

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

1 (u) Expungement Petition.

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

6 (v) Probate.

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

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

15 (A) When the value of the real and personal
16 property does not exceed \$15,000, the fee shall be
17 \$25.

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

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

27 (A) When the value of the real and personal
28 property does not exceed \$15,000, the fee shall be
29 \$25.

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

1 a tax return or releasing a mortgage or consenting
2 to the marriage of the ward, the fee shall be \$10.

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

6 (A) For each account (other than one final
7 account) filed in the estate of a decedent, or ward,
8 \$15.

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

16 (C) For filing in an estate a claim, petition,
17 or supplemental proceeding based upon an action
18 seeking equitable relief including the construction
19 or contest of a will, enforcement of a contract to
20 make a will, and proceedings involving testamentary
21 trusts or the appointment of testamentary trustees,
22 \$40.

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

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

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

32 (G) For disposition of the collection of a
33 judgment or settlement of an action or claim for
34 wrongful death of a decedent or of any cause of

1 action of a ward, when there is no other
 2 administration of the estate, \$30, less any amount
 3 paid under subsection (v)(1)(B) or (v)(2)(B) except
 4 that if the amount involved does not exceed \$5,000,
 5 the fee, including any amount paid under subsection
 6 (v)(1)(B) or (v)(2)(B), shall be \$10.

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

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

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

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

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

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

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

- 31 (A) Felony complaints, \$80.
- 32 (B) Misdemeanor complaints, \$50.
- 33 (C) Business offense complaints, \$50.
- 34 (D) Petty offense complaints, \$50.

1 (E) Minor traffic or ordinance violations,
2 \$20.

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

4 (G) Motions to vacate or amend final orders,
5 \$20.

6 (H) Motions to vacate bond forfeiture orders,
7 \$20.

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

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

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

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

20 (A) Minor traffic or ordinance violations,
21 \$10.

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

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

33 (x) Transcripts of Judgment.

34 For the filing of a transcript of judgment, the

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

3 (y) Change of Venue.

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

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

10 (z) Tax objection complaints.

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

15 (aa) Tax Deeds.

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

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

19 (bb) Collections.

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

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

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

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

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

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

19 (cc) Corrections of Numbers.

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

25 (dd) Exceptions.

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

1 subsection (b) of Section 11-31-1 of the Illinois
2 Municipal Code by a private owner or tenant of real
3 property within 1200 feet of a dangerous or unsafe
4 building seeking an order compelling the owner or owners
5 of the building to take any of the actions authorized
6 under that subsection.

7 (ee) Adoptions.

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

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

14 (ff) Adoption exemptions.

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

18 (Source: P.A. 91-321, eff. 1-1-00; 91-612, eff. 10-1-99;
19 92-16, eff. 6-28-01.)

20 (Text of Section after amendment by P.A. 92-521)

21 Sec. 27.2. The fees of the clerks of the circuit court
22 in all counties having a population in excess of 500,000
23 inhabitants but less than 3,000,000 inhabitants in the
24 instances described in this Section shall be as provided in
25 this Section. In those instances where a minimum and maximum
26 fee is stated, counties with more than 500,000 inhabitants
27 but less than 3,000,000 inhabitants must charge the minimum
28 fee listed in this Section and may charge up to the maximum
29 fee if the county board has by resolution increased the fee.
30 In addition, the minimum fees authorized in this Section
31 shall apply to all units of local government and school
32 districts in counties with more than 3,000,000 inhabitants.
33 The fees shall be paid in advance and shall be as follows:

34 (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 a minimum of \$150 and a maximum of
4 \$190.

5 (A) When the amount of money or damages or the
6 value of personal property claimed does not exceed
7 \$250, a minimum of \$10 and a maximum of \$15.

8 (B) When that amount exceeds \$250 but does not
9 exceed \$1,000, a minimum of \$20 and a maximum of
10 \$40.

11 (C) When that amount exceeds \$1,000 but does
12 not exceed \$2500, a minimum of \$30 and a maximum of
13 \$50.

14 (D) When that amount exceeds \$2500 but does
15 not exceed \$5,000, a minimum of \$75 and a maximum of
16 \$100.

17 (D-5) When the amount exceeds \$5,000 but does
18 not exceed \$15,000, a minimum of \$75 and a maximum
19 of \$150.

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

25 (b) Forcible Entry and Detainer.

26 In each forcible entry and detainer case when the
27 plaintiff seeks possession only or unites with his or her
28 claim for possession of the property a claim for rent or
29 damages or both in the amount of \$15,000 or less, a
30 minimum of \$40 and a maximum of \$75. When the plaintiff
31 unites his or her claim for possession with a claim for
32 rent or damages or both exceeding \$15,000, a minimum of
33 \$150 and a maximum of \$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, a minimum of \$50 and a maximum of \$60.
13 When the amount exceeds \$1500, but does not exceed
14 \$5,000, \$75. When the amount exceeds \$5,000, but does not
15 exceed \$15,000, \$175. When the amount exceeds \$15,000, a
16 minimum of \$200 and a maximum of \$250.

17 (e) Appearance.

18 The fee for filing an appearance in each civil case
19 shall be a minimum of \$50 and a maximum of \$75, except as
20 follows:

21 (A) When the plaintiff in a forcible entry and
22 detainer case seeks possession only, a minimum of
23 \$20 and a maximum of \$40.

24 (B) When the amount in the case does not
25 exceed \$1500, a minimum of \$20 and a maximum of \$40.

26 (C) When the amount in the case exceeds \$1500
27 but does not exceed \$15,000, a minimum of \$40 and a
28 maximum of \$60.

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, a minimum of \$10 and a maximum of \$15; when the
33 amount exceeds \$1,000 but does not exceed \$5,000, a
34 minimum of \$20 and a maximum of \$30; and when the amount

1 exceeds \$5,000, a minimum of \$30 and a maximum of \$50.

2 (g) Petition to Vacate or Modify.

3 (1) Petition to vacate or modify any final judgment
4 or order of court, except in forcible entry and detainer
5 cases and small claims cases or a petition to reopen an
6 estate, to modify, terminate, or enforce a judgment or
7 order for child or spousal support, or to modify,
8 suspend, or terminate an order for withholding, if filed
9 before 30 days after the entry of the judgment or order,
10 a minimum of \$40 and a maximum of \$50.

11 (2) Petition to vacate or modify any final judgment
12 or order of court, except a petition to modify,
13 terminate, or enforce a judgment or order for child or
14 spousal support or to modify, suspend, or terminate an
15 order for withholding, if filed later than 30 days after
16 the entry of the judgment or order, a minimum of \$60 and
17 a maximum of \$75.

18 (3) Petition to vacate order of bond forfeiture, a
19 minimum of \$20 and a maximum of \$40.

20 (h) Mailing.

21 When the clerk is required to mail, the fee will be
22 a minimum of \$6 and a maximum of \$10, plus the cost of
23 postage. When a mailing is generated using an automated
24 record keeping system, this fee shall be remitted monthly
25 by the clerk to the county treasurer and retained as part
26 of the fund designated as the court automation fund.

27 (i) Certified Copies.

28 Each certified copy of a judgment after the first,
29 except in small claims and forcible entry and detainer
30 cases, a minimum of \$10 and a maximum of \$15.

31 (j) Habeas Corpus.

32 For filing a petition for relief by habeas corpus, a
33 minimum of \$80 and a maximum of \$125.

34 (k) Certification, Authentication, and Reproduction.

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

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

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

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

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

16 (A) First page, \$2.

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

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

19 (1) Remands.

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

31 (m) Record Search.

32 For each record search, within a division or
33 municipal district, the clerk shall be entitled to a
34 search fee of a minimum of \$4 and a maximum of \$6 for

1 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 a minimum of \$4 and a
6 maximum of \$6.

7 (o) Index Inquiry and Other Records.

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

18 (p) Commitment Petitions.

19 For filing commitment petitions under the Mental
20 Health and Developmental Disabilities Code, a minimum of
21 \$25 and a maximum of \$50.

22 (q) Alias Summons.

23 For each alias summons or citation issued by the
24 clerk, a minimum of \$4 and a maximum of \$5.

25 (r) Other Fees.

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

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

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

7 (s) Jury Services.

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

20 (t) Voluntary Assignment.

21 For filing each deed of voluntary assignment, a
22 minimum of \$10 and a maximum of \$20; for recording the
23 same, a minimum of 25¢ and a maximum of 50¢ for each 100
24 words. Exceptions filed to claims presented to an
25 assignee of a debtor who has made a voluntary assignment
26 for the benefit of creditors shall be considered and
27 treated, for the purpose of taxing costs therein, as
28 actions in which the party or parties filing the
29 exceptions shall be considered as party or parties
30 plaintiff, and the claimant or claimants as party or
31 parties defendant, and those parties respectively shall
32 pay to the clerk the same fees as provided by this
33 Section to be paid in other actions.

34 (u) Expungement Petition.

1 The clerk shall be entitled to receive a fee of a
2 minimum of \$30 and a maximum of \$60 for each expungement
3 petition filed and an additional fee of a minimum of \$2
4 and a maximum of \$4 for each certified copy of an order
5 to expunge arrest records.

6 (v) Probate.

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

12 (1) For administration of the estate of a decedent
13 (whether testate or intestate) or of a missing person, a
14 minimum of \$100 and a maximum of \$150, plus the fees
15 specified in subsection (v)(3), except:

16 (A) When the value of the real and personal
17 property does not exceed \$15,000, the fee shall be a
18 minimum of \$25 and a maximum of \$40.

19 (B) When (i) proof of heirship alone is made,
20 (ii) a domestic or foreign will is admitted to
21 probate without administration (including proof of
22 heirship), or (iii) letters of office are issued for
23 a particular purpose without administration of the
24 estate, the fee shall be a minimum of \$25 and a
25 maximum of \$40.

26 (2) For administration of the estate of a ward, a
27 minimum of \$50 and a maximum of \$75, plus the fees
28 specified in subsection (v)(3), except:

29 (A) When the value of the real and personal
30 property does not exceed \$15,000, the fee shall be a
31 minimum of \$25 and a maximum of \$40.

32 (B) When (i) letters of office are issued to a
33 guardian of the person or persons, but not of the
34 estate or (ii) letters of office are issued in the

1 estate of a ward without administration of the
2 estate, including filing or joining in the filing of
3 a tax return or releasing a mortgage or consenting
4 to the marriage of the ward, the fee shall be a
5 minimum of \$10 and a maximum of \$20.

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

9 (A) For each account (other than one final
10 account) filed in the estate of a decedent, or ward,
11 a minimum of \$15 and a maximum of \$25.

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

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

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

33 (E) Except as provided in subsection
34 (v)(3)(D), for filing the appearance of any person

1 or persons, a minimum of \$10 and a maximum of \$30.

2 (F) For each jury demand, a minimum of \$102.50
3 and a maximum of \$137.50.

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

15 (H) For each certified copy of letters of
16 office, of court order or other certification, a
17 minimum of \$1 and a maximum of \$2, plus a minimum of
18 50¢ and a maximum of \$1 per page in excess of 3
19 pages for the document certified.

20 (I) For each exemplification, a minimum of \$1
21 and a maximum of \$2, plus the fee for certification.

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

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

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

1 of 1975.

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

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

6 (A) Felony complaints, a minimum of \$80 and a
7 maximum of \$125.

8 (B) Misdemeanor complaints, a minimum of \$50
9 and a maximum of \$75.

10 (C) Business offense complaints, a minimum of
11 \$50 and a maximum of \$75.

12 (D) Petty offense complaints, a minimum of \$50
13 and a maximum of \$75.

14 (E) Minor traffic or ordinance violations,
15 \$20.

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

17 (G) Motions to vacate or amend final orders, a
18 minimum of \$20 and a maximum of \$40.

19 (H) Motions to vacate bond forfeiture orders,
20 a minimum of \$20 and a maximum of \$30.

21 (I) Motions to vacate ex parte judgments,
22 whenever filed, a minimum of \$20 and a maximum of
23 \$30.

24 (J) Motions to vacate judgment on forfeitures,
25 whenever filed, a minimum of \$20 and a maximum of
26 \$25.

27 (K) Motions to vacate "failure to appear" or
28 "failure to comply" notices sent to the Secretary of
29 State, a minimum of \$20 and a maximum of \$40.

30 (2) In counties having a population of more than
31 500,000 but fewer than 3,000,000 inhabitants, when the
32 violation complaint is issued by a municipal police
33 department, the clerk shall be entitled to costs from
34 each person convicted therein as follows:

1 (A) Minor traffic or ordinance violations,
2 \$10.

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

4 (3) In ordinance violation cases punishable by fine
5 only, the clerk of the circuit court shall be entitled to
6 receive, unless the fee is excused upon a finding by the
7 court that the defendant is indigent, in addition to
8 other fees or costs allowed or imposed by law, the sum of
9 a minimum of \$50 and a maximum of \$112.50 as a fee for
10 the services of a jury. The jury fee shall be paid by
11 the defendant at the time of filing his or her jury
12 demand. If the fee is not so paid by the defendant, no
13 jury shall be called, and the case shall be tried by the
14 court without a jury.

15 (x) Transcripts of Judgment.

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

19 (y) Change of Venue.

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

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

27 (z) Tax objection complaints.

28 For each tax objection complaint containing one or
29 more tax objections, regardless of the number of parcels
30 involved or the number of taxpayers joining in the
31 complaint, a minimum of \$25 and a maximum of \$50.

32 (aa) Tax Deeds.

33 (1) Petition for tax deed, if only one parcel is
34 involved, a minimum of \$150 and a maximum of \$250.

1 (2) For each additional parcel, add a fee of a
2 minimum of \$50 and a maximum of \$100.

3 (bb) Collections.

4 (1) For all collections made of others, except the
5 State and county and except in maintenance or child
6 support cases, a sum equal to a minimum of 2.5% and a
7 maximum of 3.0% of the amount collected and turned over.

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

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

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

32 The clerk shall also be entitled to a fee of \$5 for
33 certifications made to the Secretary of State as provided
34 in Section 7-703 of the Family Financial Responsibility

1 Law and these fees shall also be deposited into the
2 Separate Maintenance and Child Support Collection Fund.

3 (cc) Corrections of Numbers.

4 For correction of the case number, case title, or
5 attorney computer identification number, if required by
6 rule of court, on any document filed in the clerk's
7 office, to be charged against the party that filed the
8 document, a minimum of \$15 and a maximum of \$25.

9 (dd) Exceptions.

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

25 (ee) Adoptions.

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

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

32 (ff) Adoption exemptions.

33 No fee other than that set forth in subsection (ee)
34 shall be charged to any person in connection with an

1 adoption proceeding.

2 (Source: P.A. 91-321, eff. 1-1-00; 91-612, eff. 10-1-99;
3 92-16, eff. 6-28-01; 92-521, eff. 6-1-02.)

4 Section 95. No acceleration or delay. Where this Act
5 makes changes in a statute that is represented in this Act by
6 text that is not yet or no longer in effect (for example, a
7 Section represented by multiple versions), the use of that
8 text does not accelerate or delay the taking effect of (i)
9 the changes made by this Act or (ii) provisions derived from
10 any other Public Act."