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SB149 Enrolled
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AN ACT concerning family law.

Be it enacted by the People of the State of Illinois,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, and 27.2a as follows:

6 (705 ILCS 105/27.1) (from Ch. 25, par. 27.1)

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

11 (a) Civil Cases.

(1) All civil cases except as otherwise 12 13 provided..... \$40 (2) Judicial Sales (except Probate)..... 14 \$40 15 (b) Family. 16 (1) Commitment petitions under the Mental Health and Developmental Disabilities Code, filing 17 18 transcript of commitment proceedings held in another county, and cases under the Juvenile Court 19 20 Act of 1987..... \$25 (2) Petition for Marriage Licenses..... 21 \$10 22 (3) Marriages in Court..... \$10

(4) Paternity...... \$40
(c) Criminal and Quasi-Criminal.
(1) Each person convicted of a felony...... \$40
(2) Each person convicted of a misdemeanor,
leaving scene of an accident, driving while
intoxicated, reckless driving or drag racing,

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

driving when license revoked or suspended,

overweight, or no interstate commerce certificate,

SB149 Enrolled -2-LRB093 07530 LCB 07703 b 1 (3) Each person convicted of a business 2 offense..... \$25 (4) Each person convicted of a petty offense. 3 \$25 4 (5) Minor traffic, conservation, or ordinance violation, including without limitation 5 when the disposition is court supervision: 6 7 (i) For each offense..... \$10 8 (ii) For each notice sent to the 9 defendant's last known address pursuant to subsection (c) of Section 6-306.4 of the Illinois 10 11 Vehicle Code..... \$2 (iii) For each notice sent to the 12 Secretary of State pursuant to subsection (c) of 13 Section 6-306.4 of the Illinois Vehicle Code..... 14 \$2 (6) When Court Appearance required..... 15 \$15 16 (7) Motions to vacate or amend final orders.. \$10 (8) In ordinance violation cases punishable 17 by fine only, the clerk of the circuit court shall 18 19 be entitled to receive, unless the fee is excused upon a finding by the court that the defendant is 20 indigent, in addition to other fees or costs 21 allowed or imposed by law, the sum of \$62.50 as a 22 23 fee for the services of a jury. The jury fee shall be paid by the defendant at the time of filing his 24 25 or her jury demand. If the fee is not so paid by the defendant, no jury shall be called, and the 26 case shall be tried by the court without a jury. 27 (d) Other Civil Cases. 28 29 (1) Money or personal property claimed does not exceed \$500..... 30 \$10 (2) Exceeds \$500 but not more than \$10,000... 31 \$25 (3) Exceeds \$10,000, when relief in addition 32 to or supplemental to recovery of money alone is 33 sought in an action to recover personal property 34

1 taxes or retailers occupational tax regardless of 2 amount claimed..... \$45 (4) The Clerk of the Circuit Court shall be 3 4 entitled to receive, in addition to other fees allowed by law, the sum of \$62.50, as a fee for the 5 services of a jury in every civil action not 6 7 quasi-criminal in its nature and not a proceeding for the exercise of the right of eminent domain, 8 9 and in every equitable action wherein the right of trial by jury is or may be given by law. The jury 10 11 fee shall be paid by the party demanding a jury at the time of filing his jury demand. If such a fee 12 is not paid by either party, no jury shall be 13 called in the action, suit, or proceeding, and the 14 15 same shall be tried by the court without a jury. 16 (e) Confession of judgment and answer. (1) When the amount does not exceed \$1,000... 17 \$20 (2) Exceeds \$1,000.... \$40 18 (f) Auxiliary Proceedings. 19 Any auxiliary proceeding relating to the 20 21 collection of a money judgment, including garnishment, citation, or wage deduction action.... 22 \$5 23 (g) Forcible entry and detainer. (1) For possession only or possession and 24 25 rent not in excess of \$10,000..... \$10 (2) For possession and rent in excess of 26 \$10,000.... 27 \$40 (h) Eminent Domain. 28 (1) Exercise of Eminent Domain..... 29 \$45 30 (2) For each and every lot or tract of land right or interest therein subject to be 31 or condemned, the damages in respect to which shall 32 require separate assessments by a jury..... 33 \$45 (i) Reinstatement. 34

1 Each case including petition for modification 2 of a judgment or order of Court if filed later than 30 days after the entry of a judgment or order, 3 4 except in forcible entry and detainer cases and small claims and except a petition to modify, 5 terminate, or enforce a judgement or order for 6 7 child or spousal support or to modify, suspend, or 8 terminate an order for withholding, petition to 9 vacate judgment of dismissal for want of prosecution whenever filed, petition to reopen an 10 11 estate, or redocketing of any cause..... \$20 (j) Probate. 12

(1) Administration of decedent's estates, 13 whether testate or intestate, guardianships of the 14 person or estate or both of a person under legal 15 16 disability, guardianships of the person or estate or both of a minor or minors, or petitions to sell 17 real estate in the administration of any estate.... \$50 18 19 (2) Small estates in cases where the real and 20 personal property of an estate does not exceed 21 \$5,000..... \$25

22 (3) At any time during the administration of 23 estate, however, at the request of the Clerk, the the Court shall examine the record of the estate 24 25 and the personal representative to determine the total value of the real and personal property of 26 the estate, and if such value exceeds \$5,000 shall 27 order the payment of an additional fee in the 28 29 amount of ..... \$40 30 (4) Inheritance tax proceedings..... \$15

31 (5) Issuing letters only for a certain 32 specific reason other than the administration of an 33 estate, including but not limited to the release of 34 mortgage; the issue of letters of guardianship in

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1		additional fee of	\$10
2	( 0 )	Mailing Notices and Processes.	
3		(1) All notices that the clerk is required to	
4		mail as first class mail	\$2
5		(2) For all processes or notices the Clerk is	
6		required to mail by certified or registered mail,	
7		the fee will be \$2 plus cost of postage.	
8	(p)	Certification or Authentication.	
9		(1) Each certification or authentication for	
10		taking the acknowledgement of a deed or other	
11		instrument in writing with seal of office	\$2
12		(2) Court appeals when original documents are	
13		forwarded, 100 pages or under, plus delivery costs.	\$25
14		(3) Court appeals when original documents are	
15		forwarded, over 100 pages, plus delivery costs	\$60
16		(4) Court appeals when original documents are	
17		forwarded, over 200 pages, additional fee per page	
18		over 200	10¢
19	(q)	Reproductions.	
20		Each record of proceedings and judgment,	
21		whether on appeal, change of venue, certified	
22		copies of orders and judgments, and all other	
23		instruments, documents, records, or papers:	
24		(1) First page	\$1
25		(2) Next 19 pages, per page	50¢
26		(3) All remaining pages, per page	25¢
27	(r)	Counterclaim.	
28		When any defendant files a counterclaim as	
29		part of his or her answer or otherwise, or joins	
30		another party as a third party defendant, or both,	
31		he or she shall pay a fee for each such	
32		counterclaim or third party action in an amount	
33		equal to the fee he or she would have had to pay	
34		had he or she brought a separate action for the	

relief sought in the counterclaim or against the
 third party defendant, less the amount of the
 appearance fee, if that has been paid.

4 (s) Transcript of Judgment.

5 From a court, the same fee as if case 6 originally filed.

7 (t) Publications.

8 The cost of publication shall be paid directly 9 to the publisher by the person seeking the 10 publication, whether the clerk is required by law 11 to publish, or the parties to the action.

12 (u) Collections.

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

(2) In any cases remanded to the Circuit 17 Court from the Supreme Court or the Appellate 18 19 Court, the Clerk shall file the remanding order and reinstate the case with either its original number 20 21 or a new number. The Clerk shall not charge any new or additional fee for the reinstatement. Upon 22 23 reinstatement the Clerk shall advise the parties of the reinstatement. A party shall have the same 24 25 right to a jury trial on remand and reinstatement as he or she had before the appeal, and no 26 additional or new fee or charge shall be made for a 27 jury trial after remand. 28

(3) In maintenance and child support matters,
the Clerk may deduct from each payment an amount
equal to the United States postage to be used in
mailing the maintenance or child support check to
the recipient. In such cases, the Clerk shall
collect an annual fee of up to \$36 from the person

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

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

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

30 (v) Correction of Cases.

31 For correcting the case number or case title 32 on any document filed in his office, to be charged 33 against the party that filed the document...... \$10 34 (w) Record Search.

1 For searching a record, per year searched..... \$4 2 (x) Printed Output. For each page of hard copy print output, when 3 4 case records are maintained on an automated medium. \$2 5 (y) Alias Summons. For each alias summons issued..... \$2 6 7 Expungement of Records. (z) 8 For each expungement petition filed..... \$15 9 (aa) Other Fees. Any fees not covered by this Section shall be set by 10 11 rule or administrative order of the Circuit Court, with the approval of the Supreme Court. 12 13 (bb) Exemptions. No fee provided for herein shall be charged to any 14 15 unit of State or local government or school district 16 unless the Court orders another party to pay such fee on

-9-

its behalf. The fee requirements of this Section shall 17 not apply to police departments or other law enforcement 18 19 agencies. In this Section, "law enforcement agency" means an agency of the State or a unit of local government that 20 21 is vested by law or ordinance with the duty to maintain public order and to enforce criminal laws and ordinances. 22 23 The fee requirements of this Section shall not apply to any action instituted under subsection (b) of Section 24 25 11-31-1 of the Illinois Municipal Code by a private owner or tenant of real property within 1200 feet of a 26 dangerous or unsafe building seeking an order compelling 27 the owner or owners of the building to take any of the 28 actions authorized under that subsection. 29

30 (cc) 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

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

3 (dd) Adoption exemptions.

No fee other than that set forth in subsection (cc)
shall be charged to any person in connection with an
adoption proceeding nor may any fee be charged for
proceedings for the appointment of a confidential
intermediary under the Adoption Act.

9 (ee) Additional Services.

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

22 (ff) Returned checks.

23 For each check delivered to the clerk that is not honored on 2 occasions by the financial institution upon 24 25 which it is drawn because of insufficient funds in the account, because the account is closed, because there is 26 no account, or because a stop payment has been placed on 27 the check, in addition to the amount already owed....\$25. 28 (Source: P.A. 91-165, eff. 7-16-99; 91-321, eff. 1-1-00; 29 91-357, eff. 7-29-99; 91-612, eff. 10-1-99; 92-16, eff. 30 6-28-01; 92-114, eff. 1-1-02.) 31

32 (705 ILCS 105/27.1a) (from Ch. 25, par. 27.1a)
33 Sec. 27.1a. The fees of the clerks of the circuit court

SB149 Enrolled

1 in all counties having a population in excess of 180,000 but 2 not more than 500,000 inhabitants in the instances described in this Section shall be as provided in this Section. 3 The 4 fees shall be paid in advance and shall be as follows: (a) Civil Cases. 5 The fee for filing a complaint, petition, or other 6 7 pleading initiating a civil action, with the following 8 exceptions, shall be \$150. 9 (A) When the amount of money or damages or the value of personal property claimed does not exceed 10 11 \$250, \$10. (B) When that amount exceeds \$250 but does not 12 exceed \$500, \$20. 13 (C) When that amount exceeds \$500 but does not 14 15 exceed \$2500, \$30. 16 (D) When that amount exceeds \$2500 but does not exceed \$15,000, \$75. 17 (E) For the exercise of eminent domain, \$150. 18 19 For each additional lot or tract of land or right or interest therein subject to be condemned, the 20 21 damages in respect to which shall require separate 22 assessment by a jury, \$150. 23 (a-1) Family. For filing a petition under the Juvenile Court Act 24 25 of 1987, \$25. For filing a petition for a marriage license, \$10. 26 For performing a marriage in court, \$10. 27 For filing a petition under the Illinois Parentage 28 Act of 1984, \$40. 29 30 (b) Forcible Entry and Detainer. In each forcible entry and detainer case when the 31 plaintiff seeks possession only or unites with his or her 32 33 claim for possession of the property a claim for rent or damages or both in the amount of \$15,000 or less, \$40. 34

When the plaintiff unites his or her claim for possession
 with a claim for rent or damages or both exceeding
 \$15,000, \$150.

4 (c) Counterclaim or Joining Third Party Defendant.

When any defendant files a counterclaim as part of 5 his or her answer or otherwise or joins another party as 6 7 a third party defendant, or both, the defendant shall pay 8 a fee for each counterclaim or third party action in an 9 amount equal to the fee he or she would have had to pay had he or she brought a separate action for the relief 10 11 sought in the counterclaim or against the third party defendant, less the amount of the appearance fee, if that 12 13 has been paid.

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(d) Confession of Judgment.

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

19 (e) Appearance.

20The fee for filing an appearance in each civil case21shall be \$50, except as follows:

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

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

26(C) When that amount exceeds \$1500 but does27not exceed \$15,000, \$40.

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

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

34 (g) Petition to Vacate or Modify.

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

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

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

17 (h) Mailing.

18 When the clerk is required to mail, the fee will be19 \$6, plus the cost of postage.

20 (i) Certified Copies.

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

24 (j) Habeas Corpus.

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

27 (k) Certification, Authentication, and Reproduction.

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

31 (2) Court appeals when original documents are
32 forwarded, under 100 pages, plus delivery and costs, \$50.
33 (3) Court appeals when original documents are
34 forwarded, over 100 pages, plus delivery and costs, \$120.

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

-14-

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

(A) First page, \$2.

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

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

9 (1) Remands.

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

21 (m) Record Search.

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

25 (n) Hard Copy.

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

29 (o) Index Inquiry and Other Records.

No fee shall be charged for a single plaintiff/defendant index inquiry or single case record inquiry when this request is made in person and the records are maintained in a current automated medium, and when no hard copy print output is requested. The fees to 1 be charged for management records, multiple case records, 2 and multiple journal records may be specified by the Chief Judge pursuant to the guidelines for access and 3 dissemination of information approved by the Supreme 4 5 Court.

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(p) Commitment Petitions.

For filing commitment petitions under the Mental 7 8 Health and Developmental Disabilities Code and for filing 9 a transcript of commitment proceedings held in another 10 county, \$25.

11 (q) Alias Summons.

For each alias summons or citation issued by the 12 clerk, \$4. 13

(r) Other Fees. 14

Any fees not covered in this Section shall be set by 15 16 rule or administrative order of the Circuit Court with the approval of the Administrative Office of the Illinois 17 Courts. 18

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

(s) Jury Services. 30

The clerk shall be entitled to receive, in addition 31 to other fees allowed by law, the sum of \$192.50, as a 32 fee for the services of a jury in every civil action not 33 quasi-criminal in its nature and not a proceeding for the 34

exercise of the right of eminent domain and in every other action wherein the right of trial by jury is or may be given by law. The jury fee shall be paid by the party demanding a jury at the time of filing the jury demand. If the fee is not paid by either party, no jury shall be called in the action or proceeding, and the same shall be tried by the court without a jury.

8 (t) Voluntary Assignment.

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

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## (u) Expungement Petition.

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

26 (v) Probate.

The clerk is entitled to receive the fees specified in this subsection (v), which shall be paid in advance, except that, for good cause shown, the court may suspend, reduce, or 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),

SB149 Enrolled -17- LRB093 07530 LCB 07703 b 1 except: (A) When the value of the real and personal 2 property does not exceed \$15,000, the fee shall be 3 4 \$25. (B) When (i) proof of heirship alone is made, 5 (ii) a domestic or foreign will is admitted to 6 7 probate without administration (including proof of heirship), or (iii) letters of office are issued for 8 9 a particular purpose without administration of the estate, the fee shall be \$25. 10 11 (2) For administration of the estate of a ward, 50, plus the fees specified in subsection (v)(3), 12 13 except: (A) When the value of the real and personal 14 property does not exceed \$15,000, the fee shall be 15 16 \$25. (B) When (i) letters of office are issued to a 17 guardian of the person or persons, but not of the 18 19 estate or (ii) letters of office are issued in the estate of a ward without administration of the 20 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 following fees are payable: 26 (A) For each account (other than one final 27 account) filed in the estate of a decedent, or ward, 28 29 \$15.

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

1allowing a claim may add to the amount allowed the2filing 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.

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

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

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

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 fee33 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 miscellaneous fee shall pay the same directly to the 6 7 person entitled thereto.

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

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

(1) The clerk shall be entitled to costs in all 15 criminal and quasi-criminal cases from each person 16 convicted or sentenced to supervision therein as follows: 17 (A) Felony complaints, \$80. 18 19 (B) Misdemeanor complaints, \$50. (C) Business offense complaints, \$50. 20 21 (D) Petty offense complaints, \$50. 22 (E) Minor traffic or ordinance violations, 23 \$20. (F) When court appearance required, \$30. 24 25 Motions to vacate or amend final orders, (G) 26 \$20. (H) Motions to vacate bond forfeiture orders, 27 \$20. 28 29 (I) Motions to vacate ex parte judgments, 30 whenever filed, \$20. (J) Motions to vacate judgment on forfeitures, 31 32 whenever filed, \$20. (K) Motions to vacate "failure to appear" or 33 "failure to comply" notices sent to the Secretary of 34

1 State, \$20. 2 (2) In counties having a population in excess of 180,000 but not more than 500,000 inhabitants, when the 3 4 violation complaint is issued by a municipal police department, the clerk shall be entitled to costs from 5 each person convicted therein as follows: 6 7 (A) Minor traffic or ordinance violations, \$10. 8 9 When court appearance required, \$15. (B) In ordinance violation cases punishable by fine 10 (3) 11 only, the clerk of the circuit court shall be entitled to 12 receive, unless the fee is excused upon a finding by the court that the defendant is indigent, in addition to 13 other fees or costs allowed or imposed by law, the sum of 14 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 or her jury demand. If the fee is not so paid by the 17 defendant, no jury shall be called, and the case shall be 18 tried by the court without a jury. 19 (x) Transcripts of Judgment. 20 For the filing of a transcript of judgment, the 21 clerk shall be entitled to the same fee as if it were the 22 commencement of a new suit. 23 (y) Change of Venue. 24 25 (1) For the filing of a change of case on a change of venue, the clerk shall be entitled to the same fee as 26 if it were the commencement of a new suit. 27 (2) The fee for the preparation and certification 28 29 of a record on a change of venue to another jurisdiction, 30 when original documents are forwarded, \$25. (z) Tax objection complaints. 31 For each tax objection complaint containing one or 32 more tax objections, regardless of the number of parcels 33 34 involved or the number of taxpayers joining on the

1 complaint, \$25. 2 (aa) Tax Deeds. (1) Petition for tax deed, if only one parcel is 3 4 involved, \$150. (2) For each additional parcel, add a fee of \$50. 5 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 collected and turned over. 10 11 (2) Interest earned on any funds held by the clerk shall be turned over to the county general fund as an 12 earning of the office. 13 (3) For any check, draft, or other bank instrument 14 returned to the clerk for non-sufficient funds, account 15 16 closed, or payment stopped, \$25. (4) In child support and maintenance cases, the 17 clerk, if authorized by an ordinance of the county board, 18 19 may collect an annual fee of up to \$36 from the person making payment for maintaining child support records and 20 21 the processing of support orders to the State of Illinois KIDS system and the recording of payments issued by the 22 23 State Disbursement Unit for the official record of the Court. This fee shall be in addition to and separate 24 25 from amounts ordered to be paid as maintenance or child

support and shall be deposited into Separate 26 а Maintenance and Child Support Collection Fund, of which 27 the clerk shall be the custodian, ex-officio, to be used 28 by the clerk to maintain child support orders and record 29 30 all payments issued by the State Disbursement Unit for the official record of the Court. The clerk may recover 31 from the person making the maintenance or child support 32 any additional cost incurred in the collection 33 payment of this annual fee. 34

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.

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

12 (dd) Exceptions.

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

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

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

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

3 (ff) Adoption exemptions.

No fee other than that set forth in subsection (ee)
shall be charged to any person in connection with an
adoption proceeding nor may any fee be charged for
proceedings for the appointment of a confidential
intermediary under the Adoption Act.

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

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

27.2. The fees of the clerks of the circuit court 12 Sec. in all counties having a population in excess of 500,000 13 inhabitants but less than 3,000,000 inhabitants in the 14 15 instances described in this Section shall be as provided in this Section. In those instances where a minimum and maximum 16 17 fee is stated, counties with more than 500,000 inhabitants but less than 3,000,000 inhabitants must charge the minimum 18 fee listed in this Section and may charge up to the maximum 19 20 fee if the county board has by resolution increased the fee. 21 In addition, the minimum fees authorized in this Section 22 shall apply to all units of local government and school districts in counties with more than 3,000,000 inhabitants. 23 24 The fees shall be paid in advance and shall be as follows:

25 (a) Civil Cases.

The fee for filing a complaint, petition, or other pleading initiating a civil action, with the following exceptions, shall be a minimum of \$150 and a maximum of \$190.

30 (A) When the amount of money or damages or the
31 value of personal property claimed does not exceed
32 \$250, a minimum of \$10 and a maximum of \$15.

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

1 exceed \$1,000, a minimum of \$20 and a maximum of 2 \$40.

-24-

3 (C) When that amount exceeds \$1,000 but does
4 not exceed \$2500, a minimum of \$30 and a maximum of
5 \$50.

6 (D) When that amount exceeds \$2500 but does 7 not exceed \$5,000, a minimum of \$75 and a maximum of 8 \$100.

9 (D-5) When the amount exceeds \$5,000 but does 10 not exceed \$15,000, a minimum of \$75 and a maximum 11 of \$150.

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

17 (b) Forcible Entry and Detainer.

In each forcible entry and detainer case when the 18 plaintiff seeks possession only or unites with his or her 19 20 claim for possession of the property a claim for rent or 21 damages or both in the amount of \$15,000 or less, a minimum of \$40 and a maximum of \$75. When the plaintiff 22 23 unites his or her claim for possession with a claim for rent or damages or both exceeding \$15,000, a minimum of 24 \$150 and a maximum of \$225. 25

26 (c) Counterclaim or Joining Third Party Defendant.

When any defendant files a counterclaim as part of 27 his or her answer or otherwise or joins another party as 28 29 a third party defendant, or both, the defendant shall pay a fee for each counterclaim or third party action in an 30 amount equal to the fee he or she would have had to pay 31 had he or she brought a separate action for the relief 32 sought in the counterclaim or against the third party 33 defendant, less the amount of the appearance fee, if that 34

SB149 Enrolled

has been paid.

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(d) Confession of Judgment. In a confession of judgment when the amount does not exceed \$1500, a minimum of \$50 and a maximum of \$60. When the amount exceeds \$1500, but does not exceed \$5,000, \$75. When the amount exceeds \$5,000, but does not exceed \$15,000, \$175. When the amount exceeds \$15,000, a minimum of \$200 and a maximum of \$250.
(e) Appearance.

10 The fee for filing an appearance in each civil case 11 shall be a minimum of \$50 and a maximum of \$75, except as 12 follows:

13 (A) When the plaintiff in a forcible entry and
14 detainer case seeks possession only, a minimum of
15 \$20 and a maximum of \$40.

16 (B) When the amount in the case does not
17 exceed \$1500, a minimum of \$20 and a maximum of \$40.
18 (C) When the amount in the case exceeds \$1500
19 but does not exceed \$15,000, a minimum of \$40 and a
20 maximum of \$60.

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

In garnishment affidavit, wage deduction affidavit, and citation petition when the amount does not exceed \$1,000, a minimum of \$10 and a maximum of \$15; when the amount exceeds \$1,000 but does not exceed \$5,000, a minimum of \$20 and a maximum of \$30; and when the amount exceeds \$5,000, a minimum of \$30 and a maximum of \$50.

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(g) Petition to Vacate or Modify.

(1) Petition to vacate or modify any final judgment
or order of court, except in forcible entry and detainer
cases and small claims cases or a petition to reopen an
estate, to modify, terminate, or enforce a judgment or
order for child or spousal support, or to modify,
suspend, or terminate an order for withholding, if filed

before 30 days after the entry of the judgment or order,
 a minimum of \$40 and a maximum of \$50.

3 (2) Petition to vacate or modify any final judgment
4 or order of court, except a petition to modify,
5 terminate, or enforce a judgment or order for child or
6 spousal support or to modify, suspend, or terminate an
7 order for withholding, if filed later than 30 days after
8 the entry of the judgment or order, a minimum of \$60 and
9 a maximum of \$75.

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

12 (h) Mailing.

When the clerk is required to mail, the fee will be a minimum of \$6 and a maximum of \$10, plus the cost of postage.

16 (i) Certified Copies.

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

20 (j) Habeas Corpus.

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

23 (k) Certification, Authentication, and Reproduction.

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

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

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

34 (4) Court appeals when original documents are

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SB149 Enrolled
                            -27-
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          forwarded, over 200 pages, an additional fee of a minimum
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         of 20 and a maximum of 25 cents per page.
               (5) For reproduction of any document contained in
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         the clerk's files:
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                    (A) First page, $2.
                        Next 19 pages, 50 cents per page.
 6
                    (B)
 7
                        All remaining pages, 25 cents per page.
                    (C)
 8
      (1)
         Remands.
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               In any cases remanded to the Circuit Court from the
          Supreme Court or the Appellate Court for a new trial, the
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         clerk shall file the remanding order and reinstate the
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         case with either its original number or a new number. The
         Clerk shall not charge any new or additional fee for the
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         reinstatement. Upon reinstatement the Clerk shall advise
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         the parties of the reinstatement. A party shall have the
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         same right to a jury trial on remand and reinstatement as
         he or she had before the appeal, and no additional or new
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         fee or charge shall be made for a jury trial after
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         remand.
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      (m) Record Search.
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                    each record search, within a division or
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              For
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         municipal district, the clerk shall be entitled to a
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25 (n) Hard Copy.

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

search fee of a minimum of \$4 and a maximum of \$6 for

30 (o) Index Inquiry and Other Records.

each year searched.

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

(q) 7

(p) Commitment Petitions.

8 For filing commitment petitions under the Mental 9 Health and Developmental Disabilities Code, a minimum of 10 \$25 and a maximum of \$50.

11 (q) Alias Summons.

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

14 (r) Other Fees.

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

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

30 (s) Jury Services.

The clerk shall be entitled to receive, in addition to other fees allowed by law, the sum of a minimum of \$192.50 and a maximum of \$212.50, as a 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 other action wherein the right of trial by jury is or may 3 4 be given by law. The jury fee shall be paid by the party demanding a jury at the time of filing the jury demand. 5 If the fee is not paid by either party, no jury shall be 6 called in the action or proceeding, and the same shall be 7 8 tried by the court without a jury.

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(t) Voluntary Assignment.

For filing each deed of voluntary assignment, a 10 11 minimum of \$10 and a maximum of \$20; for recording the same, a minimum of 25¢ and a maximum of 50¢ for each 100 12 words. Exceptions filed to claims presented to an 13 assignee of a debtor who has made a voluntary assignment 14 15 for the benefit of creditors shall be considered and 16 treated, for the purpose of taxing costs therein, as 17 actions in which the party or parties filing the exceptions shall be considered as party or parties 18 plaintiff, and the claimant or claimants as party or 19 20 parties defendant, and those parties respectively shall 21 pay to the clerk the same fees as provided by this Section to be paid in other actions. 22

23 (u) Expungement Petition.

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

29 (v) Probate.

The clerk is entitled to receive the fees specified in this subsection (v), which shall be paid in advance, except that, for good cause shown, the court may suspend, reduce, or release the costs payable under this subsection: (1) For administration of the estate of a decedent
 (whether testate or intestate) or of a missing person, a
 minimum of \$100 and a maximum of \$150, plus the fees
 specified in subsection (v)(3), except:

5 (A) When the value of the real and personal 6 property does not exceed \$15,000, the fee shall be a 7 minimum of \$25 and a maximum of \$40.

8 (B) When (i) proof of heirship alone is made, 9 (ii) a domestic or foreign will is admitted to 10 probate without administration (including proof of 11 heirship), or (iii) letters of office are issued for 12 a particular purpose without administration of the 13 estate, the fee shall be a minimum of \$25 and a 14 maximum of \$40.

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

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

21 (B) When (i) letters of office are issued to a 22 guardian of the person or persons, but not of the 23 estate or (ii) letters of office are issued in the estate of a ward without administration of the 24 25 estate, including filing or joining in the filing of a tax return or releasing a mortgage or consenting 26 to the marriage of the ward, the fee shall be a 27 minimum of \$10 and a maximum of \$20. 28

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

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

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1 (B) For filing a claim in an estate when the 2 amount claimed is \$150 or more but less than \$500, a minimum of \$10 and a maximum of \$20; when the amount 3 4 claimed is \$500 or more but less than \$10,000, a minimum of \$25 and a maximum of \$40; when the amount 5 claimed is \$10,000 or more, a minimum of \$40 and a 6 7 maximum of \$60; provided that the court in allowing 8 a claim may add to the amount allowed the filing fee 9 paid by the claimant.

10 (C) For filing in an estate a claim, petition, 11 or supplemental proceeding based upon an action 12 seeking equitable relief including the construction 13 or contest of a will, enforcement of a contract to 14 make a will, and proceedings involving testamentary 15 trusts or the appointment of testamentary trustees, 16 a minimum of \$40 and a maximum of \$60.

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

(E) Except as provided in subsection(v)(3)(D), for filing the appearance of any personor persons, a minimum of \$10 and a maximum of \$30.

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

(G) For disposition of the collection of a 27 judgment or settlement of an action or claim for 28 29 wrongful death of a decedent or of any cause of 30 action of a ward, when there is no other administration of the estate, a minimum of \$30 and a 31 maximum of \$50, less any amount paid under 32 subsection (v)(1)(B) or (v)(2)(B) except that if the 33 amount involved does not exceed \$5,000, the fee, 34

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including any amount paid under subsection (v)(1)(B) or (v)(2)(B), shall be a minimum of \$10 and a maximum of \$20.

4 (H) For each certified copy of letters of
5 office, of court order or other certification, a
6 minimum of \$1 and a maximum of \$2, plus a minimum of
7 50¢ and a maximum of \$1 per page in excess of 3
8 pages for the document certified.

9 (I) For each exemplification, a minimum of \$1 10 and a maximum of \$2, plus the fee for certification. 11 (4) The executor, administrator, guardian, 12 petitioner, or other interested person or his or her 13 attorney shall pay the cost of publication by the clerk 14 directly to the newspaper.

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

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

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

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

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

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

33 (C) Business offense complaints, a minimum of
34 \$50 and a maximum of \$75.

SB149 Enrolled -33- LRB093 07530 LCB 07703 b 1 (D) Petty offense complaints, a minimum of \$50 2 and a maximum of \$75. (E) Minor traffic or ordinance violations, 3 4 \$20. (F) When court appearance required, \$30. 5 (G) Motions to vacate or amend final orders, a 6 7 minimum of \$20 and a maximum of \$40. (H) Motions to vacate bond forfeiture orders, 8 9 a minimum of \$20 and a maximum of \$30. (I) Motions to vacate ex parte judgments, 10 11 whenever filed, a minimum of \$20 and a maximum of 12 \$30. (J) Motions to vacate judgment on forfeitures, 13 whenever filed, a minimum of \$20 and a maximum of 14 15 \$25. 16 (K) Motions to vacate "failure to appear" or "failure to comply" notices sent to the Secretary of 17 State, a minimum of \$20 and a maximum of \$40. 18 19 (2) In counties having a population of more than 500,000 but fewer than 3,000,000 inhabitants, when the 20 violation complaint is issued by a municipal police 21 department, the clerk shall be entitled to costs from 22 23 each person convicted therein as follows: (A) Minor traffic or ordinance violations, 24 25 \$10. (B) When court appearance required, \$15. 26 (3) In ordinance violation cases punishable by fine 27 only, the clerk of the circuit court shall be entitled to 28 receive, unless the fee is excused upon a finding by the 29 30 court that the defendant is indigent, in addition to other fees or costs allowed or imposed by law, the sum of 31 a minimum of \$50 and a maximum of \$112.50 as a fee for 32 the services of a jury. The jury fee shall be paid by 33 the defendant at the time of filing his or her jury 34

1 demand. If the fee is not so paid by the defendant, no 2 jury shall be called, and the case shall be tried by the court without a jury. 3

4 (x) Transcripts of Judgment.

5 For the filing of a transcript of judgment, the clerk shall be entitled to the same fee as if it were the 6 commencement of new suit. 7

8 (y) Change of Venue.

9 (1) For the filing of a change of case on a change of venue, the clerk shall be entitled to the same fee as 10 11 if it were the commencement of a new suit.

(2) The fee for the preparation and certification 12 of a record on a change of venue to another jurisdiction, 13 when original documents are forwarded, a minimum of \$25 14 15 and a maximum of \$40.

(z) Tax objection complaints. 16

For each tax objection complaint containing one or 17 more tax objections, regardless of the number of parcels 18 involved or the number of taxpayers joining in the 19 complaint, a minimum of \$25 and a maximum of \$50. 20

21 (aa) Tax Deeds.

22 (1) Petition for tax deed, if only one parcel is 23 involved, a minimum of \$150 and a maximum of \$250.

(2) For each additional parcel, add a fee of 24 а 25 minimum of \$50 and a maximum of \$100.

(bb) Collections. 26

(1) For all collections made of others, except the 27 State and county and except in maintenance or child 28 29 support cases, a sum equal to a minimum of 2.5% and a 30 maximum of 3.0% of the amount collected and turned over.

(2) Interest earned on any funds held by the clerk 31 shall be turned over to the county general fund as an 32 earning of the office. 33

(3) For any check, draft, or other bank instrument 34

returned to the clerk for non-sufficient funds, account
 closed, or payment stopped, \$25.

(4) In child support and maintenance cases, 3 the 4 clerk, if authorized by an ordinance of the county board, may collect an annual fee of up to \$36 from the person 5 making payment for maintaining child support records and 6 7 the processing of support orders to the State of Illinois system and the recording of payments issued by the 8 KIDS 9 State Disbursement Unit for the official record of the Court. This fee shall be in addition to and separate from 10 11 amounts ordered to be paid as maintenance or child 12 support and shall be deposited into а Separate Maintenance and Child Support Collection Fund, of which 13 the clerk shall be the custodian, ex-officio, to be used 14 15 by the clerk to maintain child support orders and record 16 all payments issued by the State Disbursement Unit for the official record of the Court. The clerk may recover 17 from the person making the maintenance or child support 18 payment any additional cost incurred in the collection of 19 this annual fee. 20

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

26 (cc) Corrections of Numbers.

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

32 (dd) Exceptions.

33 The fee requirements of this Section shall not apply34 to police departments or other law enforcement agencies.

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

14 (ee) Adoptions.

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

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

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21 (ff) Adoption exemptions.
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No fee other than that set forth in subsection (ee) shall be charged to any person in connection with an adoption proceeding <u>nor may any fee be charged for</u> <u>proceedings for the appointment of a confidential</u> <u>intermediary under the Adoption Act</u>.

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

(705 ILCS 105/27.2a) (from Ch. 25, par. 27.2a)
Sec. 27.2a. The fees of the clerks of the circuit court
in all counties having a population of 3,000,000 or more
inhabitants in the instances described in this Section shall
be as provided in this Section. In those instances where a

SB149 Enrolled

1 minimum and maximum fee is stated, the clerk of the circuit 2 court must charge the minimum fee listed and may charge up to the maximum fee if the county board has by resolution 3 4 increased the fee. The fees shall be paid in advance and shall be as follows: 5 (a) Civil Cases. 6 7 The fee for filing a complaint, petition, or other 8 pleading initiating a civil action, with the following exceptions, shall be a minimum of \$190 and a maximum of 9 \$240. 10 11 (A) When the amount of money or damages or the 12 value of personal property claimed does not exceed \$250, a minimum of \$15 and a maximum of \$22. 13 (B) When that amount exceeds \$250 but does not 14 15 exceed \$1000, a minimum of \$40 and a maximum of \$75. 16 (C) When that amount exceeds \$1000 but does not exceed \$2500, a minimum of \$50 and a maximum of 17 \$80. 18 (D) When that amount exceeds \$2500 but does 19 not exceed \$5000, a minimum of \$100 and a maximum of 20 21 \$130. 22 (E) When that amount exceeds \$5000 but does 23 not exceed \$15,000, \$150. (F) For the exercise of eminent domain, \$150. 24 25 For each additional lot or tract of land or right or interest therein subject to be condemned, 26 the damages in respect to which shall require separate 27 assessment by a jury, \$150. 28 29 (G) For the final determination of parking, 30 standing, and compliance violations and final administrative decisions issued after hearings 31 regarding vehicle immobilization and impoundment 32 made pursuant to Sections 3-704.1, 6-306.5, and 33 34 11-208.3 of the Illinois Vehicle Code, \$25.

1 (b) Forcible Entry and Detainer.

2 In each forcible entry and detainer case when the plaintiff seeks possession only or unites with his or her 3 4 claim for possession of the property a claim for rent or damages or both in the amount of \$15,000 or less, a 5 minimum of \$75 and a maximum of \$140. When the plaintiff 6 7 unites his or her claim for possession with a claim for rent or damages or both exceeding \$15,000, a minimum of 8 9 \$225 and a maximum of \$335.

10 (c) Counterclaim or Joining Third Party Defendant.

11 When any defendant files a counterclaim as part of his or her answer or otherwise or joins another party as 12 a third party defendant, or both, the defendant shall pay 13 a fee for each counterclaim or third party action in an 14 15 amount equal to the fee he or she would have had to pay 16 had he or she brought a separate action for the relief sought in the counterclaim or against the third party 17 defendant, less the amount of the appearance fee, if that 18 has been paid. 19

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(d) Confession of Judgment.

In a confession of judgment when the amount does not exceed \$1500, a minimum of \$60 and a maximum of \$70. When the amount exceeds \$1500, but does not exceed \$5000, a minimum of \$75 and a maximum of \$150. When the amount exceeds \$5000, but does not exceed \$15,000, a minimum of \$175 and a maximum of \$260. When the amount exceeds \$15,000, a minimum of \$250 and a maximum of \$310.

28 (e) Appearance.

The fee for filing an appearance in each civil case shall be a minimum of \$75 and a maximum of \$110, except as follows:

32 (A) When the plaintiff in a forcible entry and
33 detainer case seeks possession only, a minimum of
34 \$40 and a maximum of \$80.

(B) When the amount in the case does not
 exceed \$1500, a minimum of \$40 and a maximum of \$80.
 (C) When that amount exceeds \$1500 but does
 not exceed \$15,000, a minimum of \$60 and a maximum
 of \$90.

-39-

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(f) Garnishment, Wage Deduction, and Citation.

In garnishment affidavit, wage deduction affidavit, and citation petition when the amount does not exceed \$1,000, a minimum of \$15 and a maximum of \$25; when the amount exceeds \$1,000 but does not exceed \$5,000, a minimum of \$30 and a maximum of \$45; and when the amount exceeds \$5,000, a minimum of \$50 and a maximum of \$80.

13 (g) Petition to Vacate or Modify.

(1) Petition to vacate or modify any final judgment 14 15 or order of court, except in forcible entry and detainer 16 cases and small claims cases or a petition to reopen an estate, to modify, terminate, or enforce a judgment or 17 order for child or spousal support, or to modify, 18 suspend, or terminate an order for withholding, if filed 19 before 30 days after the entry of the judgment or order, 20 21 a minimum of \$50 and a maximum of \$60.

22 (2) Petition to vacate or modify any final judgment 23 of court, except a petition to modify, or order terminate, or enforce a judgment or order for child or 24 spousal support or to modify, suspend, or terminate an 25 order for withholding, if filed later than 30 days after 26 27 the entry of the judgment or order, a minimum of \$75 and a maximum of \$90. 28

29 (3) Petition to vacate order of bond forfeiture, a
30 minimum of \$40 and a maximum of \$80.

31 (h) Mailing.

When the clerk is required to mail, the fee will be a minimum of \$10 and a maximum of \$15, plus the cost of postage. SB149 Enrolled -40-LRB093 07530 LCB 07703 b 1 (i) Certified Copies. Each certified copy of a judgment after the first, 2 except in small claims and forcible entry and detainer 3 4 cases, a minimum of \$15 and a maximum of \$20. 5 (j) Habeas Corpus. For filing a petition for relief by habeas corpus, a 6 7 minimum of \$125 and a maximum of \$190. (k) Certification, Authentication, and Reproduction. 8 9 (1) Each certification or authentication for taking the acknowledgment of a deed or other instrument in 10 11 writing with the seal of office, a minimum of \$6 and a maximum of \$9. 12 13 (2) Court appeals when original documents are forwarded, under 100 pages, plus delivery and costs, a 14 minimum of \$75 and a maximum of \$110. 15 16 (3) Court appeals when original documents are forwarded, over 100 pages, plus delivery and costs, a 17 minimum of \$150 and a maximum of \$185. 18 19 (4) Court appeals when original documents are forwarded, over 200 pages, an additional fee of a minimum 20 21 of 25 and a maximum of 30 cents per page. (5) For reproduction of any document contained in 22 23 the clerk's files: (A) First page, \$2. 24 25 (B) Next 19 pages, 50 cents per page. (C) All remaining pages, 25 cents per page. 26 27 (1) Remands. In any cases remanded to the Circuit Court from the 28 29 Supreme Court or the Appellate Court for a new trial, the 30 clerk shall file the remanding order and reinstate the case with either its original number or a new number. 31 The Clerk shall not charge any new or additional fee for 32 the reinstatement. Upon reinstatement the Clerk shall 33 34 advise the parties of the reinstatement. A party shall have the same right to a jury trial on remand and reinstatement as he or she had before the appeal, and no additional or new fee or charge shall be made for a jury trial after remand.

5 (m) Record Search.

6 For each record search, within a division or 7 municipal district, the clerk shall be entitled to a 8 search fee of a minimum of \$6 and a maximum of \$9 for 9 each year searched.

10 (n) Hard Copy.

For each page of hard copy print output, when case records are maintained on an automated medium, the clerk shall be entitled to a fee of a minimum of \$6 and a maximum of \$9.

15 (o) Index Inquiry and Other Records.

16 No fee shall be charged for a single plaintiff/defendant index inquiry or single case record 17 inquiry when this request is made in person and the 18 19 records are maintained in a current automated medium, and 20 when no hard copy print output is requested. The fees to 21 be charged for management records, multiple case records, 22 and multiple journal records may be specified by the 23 Chief Judge pursuant to the guidelines for access and dissemination of information approved by the Supreme 24 Court. 25

26 (p) Commitment Petitions.

For filing commitment petitions under the Mental Health and Developmental Disabilities Code, a minimum of \$50 and a maximum of \$100.

30 (q) Alias Summons.

31 For each alias summons or citation issued by the 32 clerk, a minimum of \$5 and a maximum of \$6.

33 (r) Other Fees.

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Any fees not covered in this Section shall be set by

rule or administrative order of the Circuit Court with
 the approval of the Administrative Office of the Illinois
 Courts.

-42-

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

15 (s) Jury Services.

16 The clerk shall be entitled to receive, in addition to other fees allowed by law, the sum of a minimum of 17 \$212.50 and maximum of \$230, as a fee for the services of 18 a jury in every civil action not quasi-criminal in its 19 nature and not a proceeding for the exercise of the right 20 21 of eminent domain and in every other action wherein the right of trial by jury is or may be given by law. 22 The 23 jury fee shall be paid by the party demanding a jury at the time of filing the jury demand. If the fee is not 24 paid by either party, no jury shall be called in the 25 action or proceeding, and the same shall be tried by the 26 27 court without a jury.

28 (t) Voluntary Assignment.

For filing each deed of voluntary assignment, a minimum of \$20 and a maximum of \$40; for recording the same, a minimum of 50¢ and a maximum of \$0.80 for each loo words. Exceptions filed to claims presented to an assignee of a debtor who has made a voluntary assignment for the benefit of creditors shall be considered and treated, for the purpose of taxing costs therein, as actions in which the party or parties filing the exceptions shall be considered as party or parties plaintiff, and the claimant or claimants as party or parties defendant, and those parties respectively shall pay to the clerk the same fees as provided by this Section to be paid in other actions.

8 (u) Expungement Petition.

9 The clerk shall be entitled to receive a fee of a 10 minimum of \$60 and a maximum of \$120 for each expungement 11 petition filed and an additional fee of a minimum of \$4 12 and a maximum of \$8 for each certified copy of an order 13 to expunge arrest records.

14 (v) Probate.

15 The clerk is entitled to receive the fees specified 16 in this subsection (v), which shall be paid in advance, 17 except that, for good cause shown, the court may suspend, 18 reduce, or release the costs payable under this 19 subsection:

(1) For administration of the estate of a decedent
(whether testate or intestate) or of a missing person, a
minimum of \$150 and a maximum of \$225, plus the fees
specified in subsection (v)(3), except:

24 (A) When the value of the real and personal
25 property does not exceed \$15,000, the fee shall be a
26 minimum of \$40 and a maximum of \$65.

(B) When (i) proof of heirship alone is made,
(ii) a domestic or foreign will is admitted to
probate without administration (including proof of
heirship), or (iii) letters of office are issued for
a particular purpose without administration of the
estate, the fee shall be a minimum of \$40 and a
maximum of \$65.

34 (2) For administration of the estate of a ward, a

1 minimum of \$75 and a maximum of \$110, plus the fees
2 specified in subsection (v)(3), except:

3 (A) When the value of the real and personal
4 property does not exceed \$15,000, the fee shall be a
5 minimum of \$40 and a maximum of \$65.

(B) When (i) letters of office are issued to a 6 7 guardian of the person or persons, but not of the estate or (ii) letters of office are issued in the 8 9 estate of a ward without administration of the estate, including filing or joining in the filing of 10 11 a tax return or releasing a mortgage or consenting to the marriage of the ward, the fee shall be a 12 minimum of \$20 and a maximum of \$40. 13

14 (3) In addition to the fees payable under 15 subsection (v)(1) or (v)(2) of this Section, the 16 following fees are payable:

17 (A) For each account (other than one final
18 account) filed in the estate of a decedent, or ward,
19 a minimum of \$25 and a maximum of \$40.

(B) For filing a claim in an estate when the 20 21 amount claimed is \$150 or more but less than \$500, a 22 minimum of \$20 and a maximum of \$40; when the amount 23 claimed is \$500 or more but less than \$10,000, a minimum of \$40 and a maximum of \$65; when the amount 24 25 claimed is \$10,000 or more, a minimum of \$60 and a maximum of \$90; provided that the court in allowing 26 27 a claim may add to the amount allowed the filing fee paid by the claimant. 28

(C) For filing in an estate a claim, petition,
or supplemental proceeding based upon an action
seeking equitable relief including the construction
or contest of a will, enforcement of a contract to
make a will, and proceedings involving testamentary
trusts or the appointment of testamentary trustees,

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a minimum of \$60 and a maximum of \$90.

2 (D) For filing in an estate (i) the appearance 3 of any person for the purpose of consent or (ii) the 4 appearance of an executor, administrator, 5 administrator to collect, guardian, guardian ad 6 litem, or special administrator, no fee.

7 (E) Except as provided in subsection
8 (v)(3)(D), for filing the appearance of any person
9 or persons, a minimum of \$30 and a maximum of \$90.

10 (F) For each jury demand, a minimum of \$137.5011 and a maximum of \$180.

(G) For disposition of the collection of a 12 13 judgment or settlement of an action or claim for wrongful death of a decedent or of any cause of 14 15 action of a ward, when there is no other 16 administration of the estate, a minimum of \$50 and a maximum of \$80, less any amount paid under 17 subsection (v)(1)(B) or (v)(2)(B) except that if the 18 amount involved does not exceed \$5,000, the fee, 19 including any amount paid under subsection (v)(1)(B) 20 21 or (v)(2)(B), shall be a minimum of \$20 and a 22 maximum of \$40.

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

27 (I) For each exemplification, \$2, plus the fee28 for certification.

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

33 (5) The person on whose behalf a charge is incurred
34 for witness, court reporter, appraiser, or other

1 miscellaneous fee shall pay the same directly to the 2 person entitled thereto. (6) The executor, administrator, guardian, 3 4 petitioner, or other interested person or his or her attorney shall pay to the clerk all postage charges 5 incurred by the clerk in mailing petitions, orders, 6 7 notices, or other documents pursuant to the provisions of the Probate Act of 1975. 8 9 (w) Criminal and Quasi-Criminal Costs and Fees. (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, a minimum of \$125 and a 13 maximum of \$190. 14 (B) Misdemeanor complaints, a minimum of \$75 15 16 and a maximum of \$110. (C) Business offense complaints, a minimum of 17 \$75 and a maximum of \$110. 18 19 (D) Petty offense complaints, a minimum of \$75 and a maximum of \$110. 20 (E) Minor traffic or ordinance violations, 21 \$30. 22 23 (F) When court appearance required, \$50. (G) Motions to vacate or amend final orders, a 24 25 minimum of \$40 and a maximum of \$80. (H) Motions to vacate bond forfeiture orders, 26 a minimum of \$30 and a maximum of \$45. 27 (I) Motions to vacate ex parte judgments, 28 whenever filed, a minimum of \$30 and a maximum of 29 30 \$45. (J) Motions to vacate judgment on forfeitures, 31 whenever filed, a minimum of \$25 and a maximum of 32 33 \$30. 34

(K) Motions to vacate "failure to appear" or

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1"failure to comply" notices sent to the Secretary of2State, a minimum of \$40 and a maximum of \$50.

3 (2) In counties having a population of 3,000,000 or 4 more, when the violation complaint is issued by a 5 municipal police department, the clerk shall be entitled 6 to costs from each person convicted therein as follows:

7 (A) Minor traffic or ordinance violations,
8 \$30.

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

In ordinance violation cases punishable by fine 10 (3) 11 only, the clerk of the circuit court shall be entitled to 12 receive, unless the fee is excused upon a finding by the court that the defendant is indigent, in addition to 13 other fees or costs allowed or imposed by law, the sum of 14 a minimum of \$112.50 and a maximum of \$250 as a fee for 15 the services of a jury. The jury fee shall be paid by 16 the defendant at the time of filing his or her 17 jury demand. If the fee is not so paid by the defendant, no 18 jury shall be called, and the case shall be tried by the 19 court without a jury. 20

21 (x) Transcripts of Judgment.

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

25 (y) Change of Venue.

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

(2) The fee for the preparation and certification
of a record on a change of venue to another jurisdiction,
when original documents are forwarded, a minimum of \$40
and a maximum of \$65.

33 (z) Tax objection complaints.

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For each tax objection complaint containing one or

1 more tax objections, regardless of the number of parcels 2 involved or the number of taxpayers joining in the 3 complaint, a minimum of \$50 and a maximum of \$100.

4 (aa) Tax Deeds.

5 (1) Petition for tax deed, if only one parcel is 6 involved, a minimum of \$250 and a maximum of \$400.

7 (2) For each additional parcel, add a fee of a
8 minimum of \$100 and a maximum of \$200.

9 (bb) Collections.

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

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

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

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

from the person making the maintenance or child support
 payment any additional cost incurred in the collection of
 this annual fee.

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

For correction of the case number, case title, or attorney computer identification number, if required by rule of court, on any document filed in the clerk's office, to be charged against the party that filed the document, a minimum of \$25 and a maximum of \$40.

15 (dd) Exceptions.

16 (1) The fee requirements of this Section shall not 17 apply to police departments or other law enforcement this Section, "law enforcement agency" 18 agencies. In means an agency of the State or a unit of local 19 government which is vested by law or ordinance with the 20 21 duty to maintain public order and to enforce criminal 22 laws or ordinances. "Law enforcement agency" also means 23 the Attorney General or any state's attorney.

(2) No fee provided herein shall be charged to any 24 25 unit of local government or school district. The fee requirements of this Section shall not apply to any 26 action instituted under subsection (b) of Section 11-31-1 27 of the Illinois Municipal Code by a private owner or 28 tenant of real property within 1200 feet of a dangerous 29 30 or unsafe building seeking an order compelling the owner or owners of the building to take any of the actions 31 authorized under that subsection. 32

33 (ee) Adoption.

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

1 (2) Upon good cause shown, the court may waive the adoption filing fee in a special needs adoption. 2 The 3 term "special needs adoption" shall have the meaning 4 ascribed to it by the Illinois Department of Children and 5 Family Services. б (ff) Adoption exemptions. 7 No fee other than that set forth in subsection (ee) shall be charged to any person in connection with an 8 9 adoption proceeding nor may any fee be charged for

10 proceedings for the appointment of a confidential 11 intermediary under the Adoption Act.

12 (Source: P.A. 91-321, eff. 1-1-00; 91-612, eff. 10-1-99; 13 91-821, eff. 6-13-00; 92-521, eff. 6-1-02.)

Section 99. Effective date. This Act takes effect uponbecoming law.