

1 AN ACT concerning fees.

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

4 Section 5. The State Finance Act is amended by adding
5 Section 5.826 as follows:

6 (30 ILCS 105/5.826 new)

7 Sec. 5.826. The Supreme Court Special Purposes Fund.

8 Section 10. The Appellate Court Act is amended by changing
9 Section 3 as follows:

10 (705 ILCS 25/3) (from Ch. 37, par. 27)

11 Sec. 3. Clerk's salary - destruction of records.

12 (a) The ordinary and contingent expenses of operating the
13 offices of the clerks of the branches of the Appellate Court,
14 including salaries, shall be determined by the Supreme Court
15 and paid from the State Treasury on the warrant of the
16 Comptroller out of appropriations made for that purpose by the
17 General Assembly. The clerk of each branch of the appellate
18 court shall perform the duties usually devolving upon clerks of
19 courts in this State, and shall provide books, stationery and
20 seals for the appellate courts, and shall be entitled to
21 receive the same fees for services in each branch of the

1 appellate court as are allowed for like services in the Supreme
2 Court. All fees paid to or received by any such clerk shall be
3 paid into the Supreme Court Special Purposes Fund ~~State~~
4 ~~treasury as required by Section 2 of "An Act in relation to the~~
5 ~~payment and disposition of moneys received by officers and~~
6 ~~employees of the State of Illinois by virtue of their office or~~
7 ~~employment", approved June 9, 1911, as amended,~~ except that any
8 filing fees designated by Supreme Court Rule for alternative
9 dispute resolution programs in the reviewing courts as provided
10 in the Reviewing Court Alternative Dispute Resolution Act
11 shall, within one month after receipt, be remitted to the State
12 Treasurer for deposit in the Mandatory Arbitration Fund.

13 (b) The clerks shall, on the order and under the direction
14 of the court, destroy any or all the records certified by the
15 clerk (or a judge) of a trial court in cases finally decided
16 more than 21 years prior to the entry of the order.

17 (Source: P.A. 96-302, eff. 1-1-10.)

18 Section 15. The Clerks of Courts Act is amended by changing
19 Sections 28 and 29 as follows:

20 (705 ILCS 105/28)

21 Sec. 28. Supreme Court Clerk; fees. At the time of filing a
22 petition or record, the petitioner or appellant shall pay to
23 the Clerk of the Supreme Court the sum of \$25. That sum shall
24 be in full payment of all services of the clerk on behalf of

1 the petitioner or appellant, except the making of a complete
2 record, or copies of records, papers, or orders. The respondent
3 or appellee, before entering an appearance or filing any paper,
4 shall pay to the Clerk of the Supreme Court the sum of \$15,
5 which sum shall be in full payment of all services of the clerk
6 on behalf of the respondent or appellee, except the making of a
7 complete record, or copies of records, papers, or orders.

8 The fee for each official certificate and seal is \$1.

9 The fee for making a complete record, copy of a record, or
10 other papers in this office is a reasonable fee per page as
11 established by the Supreme Court, except that the clerk shall
12 furnish without cost, to parties in interest or their attorneys
13 of record, copies of opinions or orders. In furtherance of the
14 public interest, the clerk may furnish copies of opinions or
15 orders without cost to other individuals or entities.

16 The fee for preparing a law license, certifying it with the
17 seal, administering the oath, and transcribing the name on the
18 roll of attorneys is \$5.

19 ~~In no event shall the clerk charge or receive any other or~~
20 ~~different fees than those specified in this Section, except as~~
21 ~~otherwise authorized by statute.~~

22 After the effective date of this amendatory Act of the 98th
23 General Assembly, the amount of any fee collected under this
24 Section may be set by Supreme Court rule, except that the
25 amount of the fees collected under this Section shall remain as
26 set by statute until the Supreme Court adopts rules specifying

1 a higher or lower fee amount.

2 There is created the Supreme Court Special Purposes Fund, a
3 special fund in the State treasury. Moneys collected under this
4 Section shall be deposited into the Supreme Court Special
5 Purposes Fund, to be used by the Supreme Court for:

6 (1) costs associated with electronic filing and case
7 management systems in the reviewing courts; and

8 (2) the operation of committees and commissions
9 established by the Supreme Court.

10 (Source: P.A. 88-691; 89-233, eff. 1-1-96; 89-626, eff. 8-9-96;
11 89-686, eff. 12-31-96.)

12 (705 ILCS 105/29)

13 Sec. 29. Salary; disposition of fees; expenditures. The
14 ordinary and contingent expenses of operating the Office of the
15 Clerk of the Supreme Court, including salaries, shall be
16 determined by the Supreme Court and paid from the State
17 treasury on the warrant of the Comptroller out of
18 appropriations made for that purpose by the General Assembly.

19 Except as specified under Section 28 of this Act, Section
20 12 of the Professional Service Corporation Act, Section 50-45
21 of the Limited Liability Company Act, and Section 10 of the
22 Professional Association Act, all ~~All~~ fees and costs paid to or
23 received by the Clerk of the Supreme Court shall be paid into
24 the State Treasury.

25 (Source: P.A. 89-233, eff. 1-1-96.)

1 Section 20. The Professional Service Corporation Act is
2 amended by changing Section 12 as follows:

3 (805 ILCS 10/12) (from Ch. 32, par. 415-12)

4 Sec. 12. (a) No corporation shall open, operate or maintain
5 an establishment for any of the purposes for which a
6 corporation may be organized under this Act without a
7 certificate of registration from the regulating authority
8 authorized by law to license individuals to engage in the
9 profession or related professions concerned. Application for
10 such registration shall be made in writing, and shall contain
11 the name and address of the corporation, and such other
12 information as may be required by the regulating authority.
13 Upon receipt of such application, the regulating authority, or
14 some administrative agency of government designated by it,
15 shall make an investigation of the corporation. If the
16 regulating authority is the Supreme Court it may designate the
17 bar or legal association which investigates and prefers charges
18 against lawyers to it for disciplining. If such authority finds
19 that the incorporators, officers, directors and shareholders
20 are each licensed pursuant to the laws of Illinois to engage in
21 the particular profession or related professions involved
22 (except that the secretary of the corporation need not be so
23 licensed), and if no disciplinary action is pending before it
24 against any of them, and if it appears that the corporation

1 will be conducted in compliance with the law and the
2 regulations and rules of the regulating authority, such
3 authority, shall issue, upon payment of a registration fee of
4 \$50, a certificate of registration.

5 Upon written application of the holder, the regulating
6 authority which originally issued the certificate of
7 registration shall renew the certificate if it finds that the
8 corporation has complied with its regulations and the
9 provisions of this Act.

10 The fee for the renewal of a certificate of registration
11 shall be calculated at the rate of \$40 per year.

12 The certificate of registration shall be conspicuously
13 posted upon the premises to which it is applicable, and the
14 professional corporation shall have only those offices which
15 are designated by street address in the articles of
16 incorporation, or as changed by amendment of such articles. No
17 certificate of registration shall be assignable.

18 (b) Moneys collected under this Section from a professional
19 corporation organized to practice law shall be deposited into
20 the Supreme Court Special Purposes Fund.

21 (c) After the effective date of this amendatory Act of the
22 98th General Assembly, the amount of any fee collected under
23 this Section from a professional corporation organized to
24 practice law may be set by Supreme Court rule, except that the
25 amount of the fees shall remain as set by statute until the
26 Supreme Court adopts rules specifying a higher or lower fee

1 amount.

2 (Source: P.A. 83-863.)

3 Section 25. The Limited Liability Company Act is amended by
4 changing Section 50-45 as follows:

5 (805 ILCS 180/50-45)

6 Sec. 50-45. Certificate of registration; attorneys at law.

7 (a) A limited liability company that is organized to
8 practice law may not engage in the practice of law without a
9 certificate of registration from the Supreme Court of Illinois.
10 Application for registration shall be made in writing and shall
11 contain the name and address of the limited liability company
12 and such other information as may be required by the Supreme
13 Court. Upon receipt of the application, if the Supreme Court
14 finds that the organizers, members, and managers are each
15 licensed to practice law, no disciplinary action is pending
16 against any of them, and it appears that the limited liability
17 company will be conducted in compliance with the law and the
18 rules of the Supreme Court, the Supreme Court may issue, upon
19 payment of a registration fee of \$50, a certificate of
20 registration.

21 Upon written application of the certificate holder and upon
22 completion of a form prescribed by the Supreme Court, the
23 Supreme Court may renew the certificate if it finds that the
24 limited liability company has complied with the Supreme Court's

1 rules and the provisions of this Act. The fee for the renewal
2 of a certificate of registration is \$40 per year.

3 The applications submitted and fees payable to the Supreme
4 Court shall be in addition to the documents, amendments, and
5 reports filed with and the fees and penalties charged by the
6 Secretary of State.

7 The certificate of registration shall be conspicuously
8 posted upon the premises to which it is applicable, and the
9 limited liability company may have only those offices that are
10 designated by street address in the articles of organization or
11 as changed by amendment of those articles. A certificate of
12 registration is not assignable.

13 (b) Moneys collected under this Section shall be deposited
14 into the Supreme Court Special Purposes Fund.

15 (c) After the effective date of this amendatory Act of the
16 98th General Assembly, the amount of any fee collected under
17 this Section may be set by Supreme Court rule, except that the
18 amount of the fees shall remain as set by statute until the
19 Supreme Court adopts rules specifying a higher or lower fee
20 amount.

21 (Source: P.A. 89-686, eff. 12-31-96.)

22 Section 30. The Professional Association Act is amended by
23 changing Section 10 as follows:

24 (805 ILCS 305/10) (from Ch. 106 1/2, par. 110)

1 Sec. 10. Regulation of practice of law.

2 (a) The manner in which lawyers practice law under this Act
3 is subject to the powers of the Supreme Court to regulate the
4 practice of law.

5 (b) A professional association that is organized to
6 practice law may not engage in the practice of law without a
7 certificate of registration from the Supreme Court of Illinois.
8 Application for registration shall be made in writing and shall
9 contain the name and address of the professional association
10 and such other information as may be required by the Supreme
11 Court. Upon receipt of the application, if the Supreme Court
12 finds that the members and shareholders are each licensed to
13 practice law, no disciplinary action is pending against any of
14 them, and it appears that the professional association will be
15 conducted in compliance with the law and the rules of the
16 Supreme Court, the Supreme Court may issue, upon payment of a
17 registration fee of \$50, a certificate of registration.

18 Upon written application of the certificate holder and upon
19 completion of a form prescribed by the Supreme Court, the
20 Supreme Court may renew the certificate if it finds that the
21 professional association has complied with the Supreme Court's
22 rules and the provisions of this Act. The fee for the renewal
23 of a certificate of registration is \$40 per year.

24 The certificate of registration shall be conspicuously
25 posted upon the premises to which it is applicable, and the
26 professional association may have only those offices that are

1 designated by street address in the articles of association or
2 as changed by amendment of those articles. A certificate of
3 registration is not assignable.

4 (c) Moneys collected under this Section shall be deposited
5 into the Supreme Court Special Purposes Fund.

6 (d) After the effective date of this amendatory Act of the
7 98th General Assembly, the amount of any fee collected under
8 this Section may be set by Supreme Court rule, except that the
9 amount of the fees shall remain as set by statute until the
10 Supreme Court adopts rules specifying a higher or lower fee
11 amount.

12 (Source: P.A. 89-686, eff. 12-31-96.)

13 Section 99. Effective date. This Act takes effect October
14 1, 2013.