

1 AMENDMENT TO HOUSE BILL 215

2 AMENDMENT NO. _____. Amend House Bill 215, on page 3,
3 immediately below line 5, by inserting the following:

4 "Section 10. The Clerks of Courts Act is amended by
5 changing Sections 27.2, 27.2a, 27.5, and 27.6 as follows:

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

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

15 (a) Civil Cases.

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

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

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

1 exceed \$1,000 \$500, \$40 \$20.

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

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

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

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

13 (b) Forcible Entry and Detainer.

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

21 (c) Counterclaim or Joining Third Party Defendant.

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

31 (d) Confession of Judgment.

32 In a confession of judgment when the amount does not
33 exceed \$1500, \$60 \$50. When the amount exceeds \$1500, but
34 does not exceed \$5,000 ~~\$15,000~~, \$75 ~~\$115~~. When the amount

1 exceeds \$5,000, but does not exceed \$15,000, \$175. When
2 the amount exceeds \$15,000, \$250 \$200.

3 (e) Appearance.

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

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

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

10 (C) When ~~the~~ that amount in the case exceeds
11 \$1500 but does not exceed \$15,000, \$60 \$40.

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

13 In garnishment affidavit, wage deduction affidavit,
14 and citation petition when the amount does not exceed
15 \$1,000, \$15 \$10; when the amount exceeds \$1,000 but does
16 not exceed \$5,000, \$30 \$20; and when the amount exceeds
17 \$5,000, \$50 \$30.

18 (g) Petition to Vacate or Modify.

19 (1) Petition to vacate or modify any final judgment
20 or order of court, except in forcible entry and detainer
21 cases and small claims cases or a petition to reopen an
22 estate, to modify, terminate, or enforce a judgment or
23 order for child or spousal support, or to modify,
24 suspend, or terminate an order for withholding, if filed
25 before 30 days after the entry of the judgment or order,
26 \$50 \$40.

27 (2) Petition to vacate or modify any final judgment
28 or order of court, except a petition to modify,
29 terminate, or enforce a judgment or order for child or
30 spousal support or to modify, suspend, or terminate an
31 order for withholding, if filed later than 30 days after
32 the entry of the judgment or order, \$75 \$60.

33 (3) Petition to vacate order of bond forfeiture,
34 \$40 \$20.

1 (h) Mailing.

2 When the clerk is required to mail, the fee will be
3 \$10 \$6, plus the cost of postage.

4 (i) Certified Copies.

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

8 (j) Habeas Corpus.

9 For filing a petition for relief by habeas corpus,
10 \$125 \$80.

11 (k) Certification, Authentication, and Reproduction.

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

15 (2) Court appeals when original documents are
16 forwarded, under 100 pages, plus delivery and costs, \$75
17 \$50.

18 (3) Court appeals when original documents are
19 forwarded, over 100 pages, plus delivery and costs, \$150
20 \$120.

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

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

26 (A) First page, \$2.

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

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

29 (l) Remands.

30 In any cases remanded to the Circuit Court from the
31 Supreme Court or the Appellate Court for a new trial, the
32 clerk shall file the remanding order and reinstate the
33 case with either its original number or a new number.
34 The Clerk shall not charge any new or additional fee for

1 the reinstatement. Upon reinstatement the Clerk shall
2 advise the parties of the reinstatement. A party shall
3 have the same right to a jury trial on remand and
4 reinstatement as he or she had before the appeal, and no
5 additional or new fee or charge shall be made for a jury
6 trial after remand.

7 (m) Record Search.

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

11 (n) Hard Copy.

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

15 (o) Index Inquiry and Other Records.

16 No fee shall be charged for a single
17 plaintiff/defendant index inquiry or single case record
18 inquiry when this request is made in person and the
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
24 dissemination of information approved by the Supreme
25 Court.

26 (p) Commitment Petitions.

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

29 (q) Alias Summons.

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

32 (r) Other Fees.

33 Any fees not covered in this Section shall be set by
34 rule or administrative order of the Circuit Court with

1 the approval of the Administrative Office of the Illinois
2 Courts.

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

14 (s) Jury Services.

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

26 (t) Voluntary Assignment.

27 For filing each deed of voluntary assignment, \$20
28 ~~\$10~~; for recording the same, \$0.50 ~~25¢~~ for each 100
29 words. Exceptions filed to claims presented to an
30 assignee of a debtor who has made a voluntary assignment
31 for the benefit of creditors shall be considered and
32 treated, for the purpose of taxing costs therein, as
33 actions in which the party or parties filing the
34 exceptions shall be considered as party or parties

1 plaintiff, and the claimant or claimants as party or
2 parties defendant, and those parties respectively shall
3 pay to the clerk the same fees as provided by this
4 Section to be paid in other actions.

5 (u) Expungement Petition.

6 The clerk shall be entitled to receive a fee of \$60
7 \$30 for each expungement petition filed and an additional
8 fee of \$4 \$2 for each certified copy of an order to
9 expunge arrest records.

10 (v) Probate.

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

15 (1) For administration of the estate of a decedent
16 (whether testate or intestate) or of a missing person,
17 \$150 \$100, plus the fees specified in subsection (v)(3),
18 except:

19 (A) When the value of the real and personal
20 property does not exceed \$15,000, the fee shall be
21 \$40 \$25.

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

28 (2) For administration of the estate of a ward, \$75
29 \$50, plus the fees specified in subsection (v)(3),
30 except:

31 (A) When the value of the real and personal
32 property does not exceed \$15,000, the fee shall be
33 \$40 \$25.

34 (B) When (i) letters of office are issued to a

1 guardian of the person or persons, but not of the
2 estate or (ii) letters of office are issued in the
3 estate of a ward without administration of the
4 estate, including filing or joining in the filing of
5 a tax return or releasing a mortgage or consenting
6 to the marriage of the ward, the fee shall be \$20
7 ~~\$10~~.

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

11 (A) For each account (other than one final
12 account) filed in the estate of a decedent, or ward,
13 \$25 ~~\$15~~.

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

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

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

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

1 or persons, \$30 ~~\$10~~.

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

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

12 (H) For each certified copy of letters of
13 office, of court order or other certification, \$2
14 ~~\$1~~, plus \$1 ~~50¢~~ per page in excess of 3 pages for
15 the document certified.

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

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

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

26 (6) The executor, administrator, guardian,
27 petitioner, or other interested person or his attorney
28 shall pay to the clerk all postage charges incurred by
29 the clerk in mailing petitions, orders, notices, or other
30 documents pursuant to the provisions of the Probate Act
31 of 1975.

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

33 (1) The clerk shall be entitled to costs in all
34 criminal and quasi-criminal cases from each person

1 convicted or sentenced to supervision therein as follows:

2 (A) Felony complaints, \$125 \$80.

3 (B) Misdemeanor complaints, \$75 \$50.

4 (C) Business offense complaints, \$75 \$50.

5 (D) Petty offense complaints, \$75 \$50.

6 (E) Minor traffic or ordinance violations,
7 \$20.

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

9 (G) Motions to vacate or amend final orders,
10 \$40 \$20.

11 (H) Motions to vacate bond forfeiture orders,
12 \$30 \$20.

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

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

17 (K) Motions to vacate "failure to appear" or
18 "failure to comply" notices sent to the Secretary of
19 State, \$40 \$20.

20 (2) In counties having a population of more than
21 650,000 but fewer than 3,000,000 inhabitants, when the
22 violation complaint is issued by a municipal police
23 department, the clerk shall be entitled to costs from
24 each person convicted therein as follows:

25 (A) Minor traffic or ordinance violations,
26 \$10.

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

28 (3) In ordinance violation cases punishable by fine
29 only, the clerk of the circuit court shall be entitled to
30 receive, unless the fee is excused upon a finding by the
31 court that the defendant is indigent, in addition to
32 other fees or costs allowed or imposed by law, the sum of
33 \$112.50 \$50 as a fee for the services of a jury. The
34 jury fee shall be paid by the defendant at the time of

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

4 (x) Transcripts of Judgment.

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

8 (y) Change of Venue.

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

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

15 (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 ~~pertaining to the same taxpayer or the number of~~
19 ~~taxpayers-joining-in-the-complaint~~, \$50 \$25.

20 (aa) Tax Deeds.

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

23 (2) For each additional parcel, add a fee of \$100
24 \$50.

25 (bb) Collections.

26 (1) For all collections made of others, except the
27 State and county and except in maintenance or child
28 support cases, a sum equal to 3.0% ~~2-5%~~ of the amount
29 collected and turned over.

30 (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

1 closed, or payment stopped, \$25.

2 (4) In child support and maintenance cases, the
3 clerk, if authorized by an ordinance of the county board,
4 may collect an annual fee of up to \$36 from the person
5 making payment for maintaining child support records and
6 the processing of support orders to the State of Illinois
7 KIDS system and the recording of payments issued by the
8 State Disbursement Unit for the official record of the
9 Court. This fee shall be in addition to and separate from
10 amounts ordered to be paid as maintenance or child
11 support and shall be deposited into a Separate
12 Maintenance and Child Support Collection Fund, of which
13 the clerk shall be the custodian, ex-officio, to be used
14 by the clerk to maintain child support orders and record
15 all payments issued by the State Disbursement Unit for
16 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
21 certifications made to the Secretary of State as provided
22 in Section 7-703 of the Family Financial Responsibility
23 Law and these fees shall also be deposited into the
24 Separate Maintenance and Child Support Collection Fund.

25 (cc) Corrections of Numbers.

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

31 (dd) Exceptions.

32 The fee requirements of this Section shall not apply
33 to police departments or other law enforcement agencies.
34 In this Section, "law enforcement agency" means an agency

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

13 (ee) Adoptions.

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

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

20 (ff) Adoption exemptions.

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

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

26 (705 ILCS 105/27.2a) (from Ch. 25, par. 27.2a)

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

32 (a) Civil Cases.

33 The fee for filing a complaint, petition, or other

1 pleading initiating a civil action, with the following
2 exceptions, shall be \$225 ~~\$190~~.

3 (A) When the amount of money or damages or the
4 value of personal property claimed does not exceed
5 \$250, \$20 ~~\$15~~.

6 (B) When that amount exceeds \$250 but does not
7 exceed \$1000, \$50 ~~\$40~~.

8 (C) When that amount exceeds \$1000 but does
9 not exceed \$2500, \$60 ~~\$50~~.

10 (D) When that amount exceeds \$2500 but does
11 not exceed \$5000, \$125 ~~\$100~~.

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

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

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

25 (b) Forcible Entry and Detainer.

26 In each forcible entry and detainer case when the
27 plaintiff seeks possession only or unites with his or her
28 claim for possession of the property a claim for rent or
29 damages or both in the amount of \$15,000 or less, \$100
30 \$75. When the plaintiff unites his or her claim for
31 possession with a claim for rent or damages or both
32 exceeding \$15,000, \$275 ~~\$225~~.

33 (c) Counterclaim or Joining Third Party Defendant.

34 When any defendant files a counterclaim as part of

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

9 (d) Confession of Judgment.

10 In a confession of judgment when the amount does not
 11 exceed \$1500, \$75 \$60. When the amount exceeds \$1500,
 12 but does not exceed \$5000, \$100 \$75. When the amount
 13 exceeds \$5000, but does not exceed \$15,000, \$225 \$175.
 14 When the amount exceeds \$15,000, \$275 \$250.

15 (e) Appearance.

16 The fee for filing an appearance in each civil case
 17 shall be \$100 \$75, except as follows:

18 (A) When the plaintiff in a forcible entry and
 19 detainer case seeks possession only, \$50 \$40.

20 (B) When the amount in the case does not
 21 exceed \$1500, \$50 \$40.

22 (C) When that amount exceeds \$1500 but does
 23 not exceed \$15,000, \$75 \$60.

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

25 In garnishment affidavit, wage deduction affidavit,
 26 and citation petition when the amount does not exceed
 27 \$1,000, \$20 \$15; when the amount exceeds \$1,000 but does
 28 not exceed \$5,000, \$40 \$30; and when the amount exceeds
 29 \$5,000, \$60 \$50.

30 (g) Petition to Vacate or Modify.

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

1 order for child or spousal support, or to modify,
2 suspend, or terminate an order for withholding, if filed
3 before 30 days after the entry of the judgment or order,
4 \$60 \$50.

5 (2) Petition to vacate or modify any final judgment
6 or order of court, except a petition to modify,
7 terminate, or enforce a judgment or order for child or
8 spousal support or to modify, suspend, or terminate an
9 order for withholding, if filed later than 30 days after
10 the entry of the judgment or order, \$90 \$75.

11 (3) Petition to vacate order of bond forfeiture,
12 \$50 \$40.

13 (h) Mailing.

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

16 (i) Certified Copies.

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

20 (j) Habeas Corpus.

21 For filing a petition for relief by habeas corpus,
22 \$150 \$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, \$8 \$6.

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

30 (3) Court appeals when original documents are
31 forwarded, over 100 pages, plus delivery and costs, \$185
32 \$150.

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

1 per page.

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

4 (A) First page, \$2.

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

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

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

19 (m) Record Search.

20 For each record search, within a division or
21 municipal district, the clerk shall be entitled to a
22 search fee of ~~\$8~~ \$6 for each year searched.

23 (n) Hard Copy.

24 For each page of hard copy print output, when case
25 records are maintained on an automated medium, the clerk
26 shall be entitled to a fee of ~~\$8~~ \$6.

27 (o) Index Inquiry and Other Records.

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

1 Chief Judge pursuant to the guidelines for access and
2 dissemination of information approved by the Supreme
3 Court.

4 (p) Commitment Petitions.

5 For filing commitment petitions under the Mental
6 Health and Developmental Disabilities Code, \$60 \$50.

7 (q) Alias Summons.

8 For each alias summons or citation issued by the
9 clerk, \$6 \$5.

10 (r) Other Fees.

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

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

26 (s) Jury Services.

27 The clerk shall be entitled to receive, in addition
28 to other fees allowed by law, the sum of \$230 ~~\$212-50~~, as
29 a fee for the services of a jury in every civil action
30 not quasi-criminal in its nature and not a proceeding for
31 the exercise of the right of eminent domain and in every
32 other action wherein the right of trial by jury is or may
33 be given by law. The jury fee shall be paid by the party
34 demanding a jury at the time of filing the jury demand.

1 If the fee is not paid by either party, no jury shall be
2 called in the action or proceeding, and the same shall be
3 tried by the court without a jury.

4 (t) Voluntary Assignment.

5 For filing each deed of voluntary assignment, \$25
6 \$20; for recording the same, 50¢ for each 100 words.
7 Exceptions filed to claims presented to an assignee of a
8 debtor who has made a voluntary assignment for the
9 benefit of creditors shall be considered and treated, for
10 the purpose of taxing costs therein, as actions in which
11 the party or parties filing the exceptions shall be
12 considered as party or parties plaintiff, and the
13 claimant or claimants as party or parties defendant, and
14 those parties respectively shall pay to the clerk the
15 same fees as provided by this Section to be paid in other
16 actions.

17 (u) Expungement Petition.

18 The clerk shall be entitled to receive a fee of \$75
19 \$60 for each expungement petition filed and an additional
20 fee of \$5 \$4 for each certified copy of an order to
21 expunge arrest records.

22 (v) Probate.

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

27 (1) For administration of the estate of a decedent
28 (whether testate or intestate) or of a missing person,
29 \$185 \$150, plus the fees specified in subsection (v)(3),
30 except:

31 (A) When the value of the real and personal
32 property does not exceed \$15,000, the fee shall be
33 \$50 \$40.

34 (B) When (i) proof of heirship alone is made,

1 (ii) a domestic or foreign will is admitted to
2 probate without administration (including proof of
3 heirship), or (iii) letters of office are issued for
4 a particular purpose without administration of the
5 estate, the fee shall be \$50 \$40.

6 (2) For administration of the estate of a ward,
7 \$100 \$75, plus the fees specified in subsection (v)(3),
8 except:

9 (A) When the value of the real and personal
10 property does not exceed \$15,000, the fee shall be
11 \$50 \$40.

12 (B) When (i) letters of office are issued to a
13 guardian of the person or persons, but not of the
14 estate or (ii) letters of office are issued in the
15 estate of a ward without administration of the
16 estate, including filing or joining in the filing of
17 a tax return or releasing a mortgage or consenting
18 to the marriage of the ward, the fee shall be \$25
19 \$20.

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

23 (A) For each account (other than one final
24 account) filed in the estate of a decedent, or ward,
25 \$30 \$25.

26 (B) For filing a claim in an estate when the
27 amount claimed is \$150 or more but less than \$500,
28 \$25 \$20; when the amount claimed is \$500 or more but
29 less than \$10,000, \$50 \$40; when the amount claimed
30 is \$10,000 or more, \$75 \$60; provided that the court
31 in allowing a claim may add to the amount allowed
32 the filing fee paid by the claimant.

33 (C) For filing in an estate a claim, petition,
34 or supplemental proceeding based upon an action

1 seeking equitable relief including the construction
2 or contest of a will, enforcement of a contract to
3 make a will, and proceedings involving testamentary
4 trusts or the appointment of testamentary trustees,
5 \$75 \$60.

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

11 (E) Except as provided in subsection
12 (v)(3)(D), for filing the appearance of any person
13 or persons, \$40 \$30.

14 (F) For each jury demand, \$170 \$137.50.

15 (G) For disposition of the collection of a
16 judgment or settlement of an action or claim for
17 wrongful death of a decedent or of any cause of
18 action of a ward, when there is no other
19 administration of the estate, \$60 \$50, less any
20 amount paid under subsection (v)(1)(B) or (v)(2)(B)
21 except that if the amount involved does not exceed
22 \$5,000, the fee, including any amount paid under
23 subsection (v)(1)(B) or (v)(2)(B), shall be \$25 \$20.

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

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

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

34 (5) The person on whose behalf a charge is incurred

1 for witness, court reporter, appraiser, or other
2 miscellaneous fee shall pay the same directly to the
3 person entitled thereto.

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

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

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

- 14 (A) Felony complaints, \$150 ~~\$125~~.
- 15 (B) Misdemeanor complaints, \$100 ~~\$75~~.
- 16 (C) Business offense complaints, \$100 ~~\$75~~.
- 17 (D) Petty offense complaints, \$100 ~~\$75~~.
- 18 (E) Minor traffic or ordinance violations,
19 \$30.
- 20 (F) When court appearance required, \$50.
- 21 (G) Motions to vacate or amend final orders,
22 \$50 ~~\$40~~.
- 23 (H) Motions to vacate bond forfeiture orders,
24 \$40 ~~\$30~~.
- 25 (I) Motions to vacate ex parte judgments,
26 whenever filed, \$40 ~~\$30~~.
- 27 (J) Motions to vacate judgment on forfeitures,
28 whenever filed, \$30 ~~\$25~~.
- 29 (K) Motions to vacate "failure to appear" or
30 "failure to comply" notices sent to the Secretary of
31 State, \$50 ~~\$40~~.

32 (2) In counties having a population of 3,000,000 or
33 more, when the violation complaint is issued by a
34 municipal police department, the clerk shall be entitled

1 to costs from each person convicted therein as follows:

2 (A) Minor traffic or ordinance violations, \$40
3 \$30.

4 (B) When court appearance required, \$60 \$50.

5 (3) In ordinance violation cases punishable by fine
6 only, the clerk of the circuit court shall be entitled to
7 receive, unless the fee is excused upon a finding by the
8 court that the defendant is indigent, in addition to
9 other fees or costs allowed or imposed by law, the sum of
10 \$140 ~~\$112-50~~ as a fee for the services of a jury. The
11 jury fee shall be paid by the defendant at the time of
12 filing his or her jury demand. If the fee is not so paid
13 by the defendant, no jury shall be called, and the case
14 shall be tried by the court without a jury.

15 (x) Transcripts of Judgment.

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

19 (y) Change of Venue.

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

23 (2) The fee for the preparation and certification
24 of a record on a change of venue to another jurisdiction,
25 when original documents are forwarded, \$50 \$40.

26 (z) Tax objection complaints.

27 For each tax objection complaint containing one or
28 more tax objections, regardless of the number of parcels
29 involved or the number of taxpayers joining in the
30 complaint, \$60 \$50.

31 (aa) Tax Deeds.

32 (1) Petition for tax deed, if only one parcel is
33 involved, \$300 \$250.

34 (2) For each additional parcel, add a fee of \$125

1 \$100.

2 (bb) Collections.

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

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

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

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

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

1 Separate Maintenance and Child Support Collection Fund.

2 (cc) Corrections of Numbers.

3 For correction of the case number, case title, or
4 attorney computer identification number, if required by
5 rule of court, on any document filed in the clerk's
6 office, to be charged against the party that filed the
7 document, \$30 \$25.

8 (dd) Exceptions.

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

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

26 (ee) Adoption.

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

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

33 (ff) Adoption exemptions.

34 No fee other than that set forth in subsection (ee)

1 shall be charged to any person in connection with an
2 adoption proceeding.

3 (Source: P.A. 90-466, eff. 8-17-97; 90-796, eff. 12-15-98;
4 91-321, eff. 1-1-00; 91-612, eff. 10-1-99; 91-821, eff.
5 6-13-00.)

6 (705 ILCS 105/27.5) (from Ch. 25, par. 27.5)

7 Sec. 27.5. All fees, fines, costs, additional penalties,
8 bail balances assessed or forfeited, and any other amount
9 paid by a person to the circuit clerk that equals an amount
10 less than \$55, except restitution under Section 5-5-6 of the
11 Unified Code of Corrections, reimbursement for the costs of
12 an emergency response as provided under Section 5-5-3 of the
13 Unified Code of Corrections, any fees collected for attending
14 a traffic safety program under paragraph (c) of Supreme Court
15 Rule 529, any fee collected on behalf of a State's Attorney
16 under Section 4-2002 of the Counties Code or a sheriff under
17 Section 4-5001 of the Counties Code, or any cost imposed
18 under Section 124A-5 of the Code of Criminal Procedure of
19 1963, for convictions, orders of supervision, or any other
20 disposition for a violation of Chapters 3, 4, 6, 11, and 12
21 of the Illinois Vehicle Code, or a similar provision of a
22 local ordinance, and any violation of the Child Passenger
23 Protection Act, or a similar provision of a local ordinance,
24 fees collected for electronic monitoring, drug or alcohol
25 testing and screening, probation fees authorized under
26 Section 5-6-3 of the Unified Code of Corrections, and
27 supervision fees authorized under Section 5-6-3.1 of the
28 Unified Code of Corrections, shall be disbursed within 60
29 days after receipt by the circuit clerk as follows: 47%
30 shall be disbursed to the entity authorized by law to receive
31 the fine imposed in the case; 12% shall be disbursed to the
32 State Treasurer; and 41% shall be disbursed to the county's
33 general corporate fund. Of the 12% disbursed to the State

1 Treasurer, 1/6 shall be deposited by the State Treasurer into
2 the Violent Crime Victims Assistance Fund, 1/2 shall be
3 deposited into the Traffic and Criminal Conviction Surcharge
4 Fund, and 1/3 shall be deposited into the Drivers Education
5 Fund. For fiscal years 1992 and 1993, amounts deposited into
6 the Violent Crime Victims Assistance Fund, the Traffic and
7 Criminal Conviction Surcharge Fund, or the Drivers Education
8 Fund shall not exceed 110% of the amounts deposited into
9 those funds in fiscal year 1991. Any amount that exceeds the
10 110% limit shall be distributed as follows: 50% shall be
11 disbursed to the county's general corporate fund and 50%
12 shall be disbursed to the entity authorized by law to receive
13 the fine imposed in the case. Not later than March 1 of each
14 year the circuit clerk shall submit a report of the amount of
15 funds remitted to the State Treasurer under this Section
16 during the preceding year based upon independent verification
17 of fines and fees. All counties shall be subject to this
18 Section, except that counties with a population under
19 2,000,000 may, by ordinance, elect not to be subject to this
20 Section. For offenses subject to this Section, judges shall
21 impose one total sum of money payable for violations. The
22 circuit clerk may add on no additional amounts except for
23 amounts that are required by Sections 27.3a and 27.3c of this
24 Act, unless those amounts are specifically waived by the
25 judge. With respect to money collected by the circuit clerk
26 as a result of forfeiture of bail, ex parte judgment or
27 guilty plea pursuant to Supreme Court Rule 529, the circuit
28 clerk shall first deduct and pay amounts required by Sections
29 27.3a and 27.3c of this Act. This Section is a denial and
30 limitation of home rule powers and functions under subsection
31 (h) of Section 6 of Article VII of the Illinois Constitution.
32 (Source: P.A. 89-234, eff. 1-1-96.)

1 Sec. 27.6. (a) All fees, fines, costs, additional
2 penalties, bail balances assessed or forfeited, and any other
3 amount paid by a person to the circuit clerk equalling an
4 amount of \$55 or more, except the additional fee required by
5 subsections (b) and (c), restitution under Section 5-5-6 of
6 the Unified Code of Corrections, reimbursement for the costs
7 of an emergency response as provided under Section 5-5-3 of
8 the Unified Code of Corrections, any fees collected for
9 attending a traffic safety program under paragraph (c) of
10 Supreme Court Rule 529, any fee collected on behalf of a
11 State's Attorney under Section 4-2002 of the Counties Code or
12 a sheriff under Section 4-5001 of the Counties Code, or any
13 cost imposed under Section 124A-5 of the Code of Criminal
14 Procedure of 1963, for convictions, orders of supervision, or
15 any other disposition for a violation of Chapters 3, 4, 6,
16 11, and 12 of the Illinois Vehicle Code, or a similar
17 provision of a local ordinance, and any violation of the
18 Child Passenger Protection Act, or a similar provision of a
19 local ordinance, fees collected for electronic monitoring,
20 drug or alcohol testing and screening, probation fees
21 authorized under Section 5-6-3 of the Unified Code of
22 Corrections, and supervision fees authorized under Section
23 5-6-3.1 of the Unified Code of Corrections, shall be
24 disbursed within 60 days after receipt by the circuit clerk
25 as follows: 44.5% shall be disbursed to the entity
26 authorized by law to receive the fine imposed in the case;
27 16.825% shall be disbursed to the State Treasurer; and
28 38.675% shall be disbursed to the county's general corporate
29 fund. Of the 16.825% disbursed to the State Treasurer, 2/17
30 shall be deposited by the State Treasurer into the Violent
31 Crime Victims Assistance Fund, 5.052/17 shall be deposited
32 into the Traffic and Criminal Conviction Surcharge Fund, 3/17
33 shall be deposited into the Drivers Education Fund, and
34 6.948/17 shall be deposited into the Trauma Center Fund. Of

1 the 6.948/17 deposited into the Trauma Center Fund from the
2 16.825% disbursed to the State Treasurer, 50% shall be
3 disbursed to the Department of Public Health and 50% shall be
4 disbursed to the Department of Public Aid. For fiscal year
5 1993, amounts deposited into the Violent Crime Victims
6 Assistance Fund, the Traffic and Criminal Conviction
7 Surcharge Fund, or the Drivers Education Fund shall not
8 exceed 110% of the amounts deposited into those funds in
9 fiscal year 1991. Any amount that exceeds the 110% limit
10 shall be distributed as follows: 50% shall be disbursed to
11 the county's general corporate fund and 50% shall be
12 disbursed to the entity authorized by law to receive the fine
13 imposed in the case. Not later than March 1 of each year the
14 circuit clerk shall submit a report of the amount of funds
15 remitted to the State Treasurer under this Section during the
16 preceding year based upon independent verification of fines
17 and fees. All counties shall be subject to this Section,
18 except that counties with a population under 2,000,000 may,
19 by ordinance, elect not to be subject to this Section. For
20 offenses subject to this Section, judges shall impose one
21 total sum of money payable for violations. The circuit clerk
22 may add on no additional amounts except for amounts that are
23 required by Sections 27.3a and 27.3c of this Act, unless
24 those amounts are specifically waived by the judge. With
25 respect to money collected by the circuit clerk as a result
26 of forfeiture of bail, ex parte judgment or guilty plea
27 pursuant to Supreme Court Rule 529, the circuit clerk shall
28 first deduct and pay amounts required by Sections 27.3a and
29 27.3c of this Act. This Section is a denial and limitation of
30 home rule powers and functions under subsection (h) of
31 Section 6 of Article VII of the Illinois Constitution.

32 (b) In addition to any other fines and court costs
33 assessed by the courts, any person convicted or receiving an
34 order of supervision for driving under the influence of

1 alcohol or drugs shall pay an additional fee of \$25 to the
2 clerk of the circuit court. This amount, less 2 1/2% that
3 shall be used to defray administrative costs incurred by the
4 clerk, shall be remitted by the clerk to the Treasurer within
5 60 days after receipt for deposit into the Trauma Center
6 Fund. This additional fee of \$25 shall not be considered a
7 part of the fine for purposes of any reduction in the fine
8 for time served either before or after sentencing. Not later
9 than March 1 of each year the Circuit Clerk shall submit a
10 report of the amount of funds remitted to the State Treasurer
11 under this subsection during the preceding calendar year.

12 (c) In addition to any other fines and court costs
13 assessed by the courts, any person convicted for a violation
14 of Sections 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of
15 1961 or a person sentenced for a violation of the Cannabis
16 Control Act or the Controlled Substance Act shall pay an
17 additional fee of \$100 to the clerk of the circuit court.
18 This amount, less 2 1/2% that shall be used to defray
19 administrative costs incurred by the clerk, shall be remitted
20 by the clerk to the Treasurer within 60 days after receipt
21 for deposit into the Trauma Center Fund. This additional fee
22 of \$100 shall not be considered a part of the fine for
23 purposes of any reduction in the fine for time served either
24 before or after sentencing. Not later than March 1 of each
25 year the Circuit Clerk shall submit a report of the amount of
26 funds remitted to the State Treasurer under this subsection
27 during the preceding calendar year.

28 (Source: P.A. 89-105, eff. 1-1-96; 89-234, eff. 1-1-96;
29 89-516, eff. 7-18-96; 89-626, eff. 8-9-96.)

30 Section 99. Effective date. This Act takes effect
31 January 1, 2002."; and

32 on page 3 by deleting lines 6 and 7.