

AN ACT in relation to health.

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

Section 5. The Mental Health and Developmental
Disabilities Code is amended by changing Sections 1-119,
2-107.1, and 3-802 and adding Section 1-129 as follows:

(405 ILCS 5/1-119) (from Ch. 91 1/2, par. 1-119)

Sec. 1-119. "Person subject to involuntary admission"
means:

(1) A person with mental illness and who because of
his or her illness is reasonably expected to inflict
serious physical harm upon himself or herself or another
in the near future which may include threatening behavior
or conduct that places another individual in reasonable
expectation of being harmed; or

(2) A person with mental illness and who because of
his or her illness is unable to provide for his or her
basic physical needs so as to guard himself or herself
from serious harm without the assistance of family or
outside help.

In determining whether a person meets the criteria
specified in paragraph (1) or (2), the court may consider
evidence of the person's repeated past pattern of specific
behavior and actions related to the person's illness.

(Source: P.A. 91-726, eff. 6-2-00.)

(405 ILCS 5/1-129 new)

Sec. 1-129. Mental illness. "Mental illness" means a
mental, or emotional disorder that substantially impairs a
person's thought, perception of reality, emotional process,
judgment, behavior, or ability to cope with the ordinary

demands of life, but does not include a developmental disability, dementia or Alzheimer's disease absent psychosis, a substance abuse disorder, or an abnormality manifested only by repeated criminal or otherwise antisocial conduct.

(405 ILCS 5/2-107.1) (from Ch. 91 1/2, par. 2-107.1)

Sec. 2-107.1. Administration of authorized involuntary treatment upon application to a court.

(a) An adult recipient of services and the recipient's guardian, if the recipient is under guardianship, and the substitute decision maker, if any, shall be informed of the recipient's right to refuse medication. The recipient and the recipient's guardian or substitute decision maker shall be given the opportunity to refuse generally accepted mental health or developmental disability services, including but not limited to medication.

(a-5) Notwithstanding the provisions of Section 2-107 of this Code, authorized involuntary treatment may be administered to an adult recipient of services without the informed consent of the recipient under the following standards:

(1) Any person 18 years of age or older, including any guardian, may petition the circuit court for an order authorizing the administration of authorized involuntary treatment to a recipient of services. The petition shall state that the petitioner has made a good faith attempt to determine whether the recipient has executed a power of attorney for health care under the Powers of Attorney for Health Care Law or a declaration for mental health treatment under the Mental Health Treatment Preference Declaration Act and to obtain copies of these instruments if they exist. If either of the above-named instruments is available to the petitioner, the instrument or a copy of the instrument shall be attached to the petition as an

exhibit. The petitioner shall deliver a copy of the petition, and notice of the time and place of the hearing, to the respondent, his or her attorney, any known agent or attorney-in-fact, if any, and the guardian, if any, no later than 3 days prior to the date of the hearing. Service of the petition and notice of the time and place of the hearing may be made by transmitting them via facsimile machine to the respondent or other party. Upon receipt of the petition and notice, the party served, or the person delivering the petition and notice to the party served, shall acknowledge service. If the party sending the petition and notice does not receive acknowledgement of service within 24 hours, service must be made by personal service.

The petition may include a request that the court authorize such testing and procedures as may be essential for the safe and effective administration of the authorized involuntary treatment sought to be administered, but only where the petition sets forth the specific testing and procedures sought to be administered.

If a hearing is requested to be held immediately following the hearing on a petition for involuntary admission, then the notice requirement shall be the same as that for the hearing on the petition for involuntary admission, and the petition filed pursuant to this Section shall be filed with the petition for involuntary admission.

(2) The court shall hold a hearing within 7 days of the filing of the petition. The People, the petitioner, or the respondent shall be entitled to a continuance of up to 7 days as of right. An additional continuance of not more than 7 days may be granted to any party (i) upon a showing that the continuance is needed in order to

adequately prepare for or present evidence in a hearing under this Section or (ii) under exceptional circumstances. The court may grant an additional continuance not to exceed 21 days when, in its discretion, the court determines that such a continuance is necessary in order to provide the recipient with an examination pursuant to Section 3-803 or 3-804 of this Act, to provide the recipient with a trial by jury as provided in Section 3-802 of this Act, or to arrange for the substitution of counsel as provided for by the Illinois Supreme Court Rules. The hearing shall be separate from a judicial proceeding held to determine whether a person is subject to involuntary admission but may be heard immediately preceding or following such a judicial proceeding and may be heard by the same trier of fact or law as in that judicial proceeding.

(3) Unless otherwise provided herein, the procedures set forth in Article VIII of Chapter 3 of this Act, including the provisions regarding appointment of counsel, shall govern hearings held under this subsection (a-5).

(4) Authorized involuntary treatment shall not be administered to the recipient unless it has been determined by clear and convincing evidence that all of the following factors are present:

(A) That the recipient has a serious mental illness or developmental disability.

(B) That because of said mental illness or developmental disability, the recipient currently exhibits any one of the following: (i) deterioration of his or her ability to function, as compared to the recipient's ability to function prior to the current onset of symptoms of the mental illness or disability for which treatment is presently sought,

(ii) suffering, or (iii) threatening behavior.

(C) That the illness or disability has existed for a period marked by the continuing presence of the symptoms set forth in item (B) of this subdivision (4) or the repeated episodic occurrence of these symptoms.

(D) That the benefits of the treatment outweigh the harm.

(E) That the recipient lacks the capacity to make a reasoned decision about the treatment.

(F) That other less restrictive services have been explored and found inappropriate.

(G) If the petition seeks authorization for testing and other procedures, that such testing and procedures are essential for the safe and effective administration of the treatment.

(5) In no event shall an order issued under this Section be effective for more than 90 days. A second 90-day period of involuntary treatment may be authorized pursuant to a hearing that complies with the standards and procedures of this subsection (a-5). Thereafter, additional 180-day periods of involuntary treatment may be authorized pursuant to the standards and procedures of this Section without limit. If a new petition to authorize the administration of authorized involuntary treatment is filed at least 15 days prior to the expiration of the prior order, and if any continuance of the hearing is agreed to by the recipient, the administration of the treatment may continue in accordance with the prior order pending the completion of a hearing under this Section.

(6) An order issued under this subsection (a-5) shall designate the persons authorized to administer the authorized involuntary treatment under the standards and

procedures of this subsection (a-5). Those persons shall have complete discretion not to administer any treatment authorized under this Section. The order shall also specify the medications and the anticipated range of dosages that have been authorized and may include a list of any alternative medications and range of dosages deemed necessary.

(b) A guardian may be authorized to consent to the administration of authorized involuntary treatment to an objecting recipient only under the standards and procedures of subsection (a-5).

(c) Notwithstanding any other provision of this Section, a guardian may consent to the administration of authorized involuntary treatment to a non-objecting recipient under Article XIa of the Probate Act of 1975.

(d) Nothing in this Section shall prevent the administration of authorized involuntary treatment to recipients in an emergency under Section 2-107 of this Act.

(e) Notwithstanding any of the provisions of this Section, authorized involuntary treatment may be administered pursuant to a power of attorney for health care under the Powers of Attorney for Health Care Law or a declaration for mental health treatment under the Mental Health Treatment Preference Declaration Act.

(Source: P.A. 91-726, eff. 6-2-00; 91-787, eff. 1-1-01; 92-16, eff. 6-28-01.)

(405 ILCS 5/3-802) (from Ch. 91 1/2, par. 3-802)

Sec. 3-802. The respondent is entitled to a jury on the question of whether he is subject to involuntary admission. The jury shall consist of 6 persons to be chosen in the same manner as are jurors in other civil proceedings. A respondent is not entitled to a jury on the question of whether authorized involuntary treatment may be administered under

Section 2-107.1.

(Source: P.A. 80-1414.)

Section 10. The Clerks of Courts Act is amended by changing Sections 27.1, 27.1a, 27.2, and 27.2a as follows:

(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:

(a) Civil Cases.

(1) All civil cases except as otherwise provided..... \$40

(2) Judicial Sales (except Probate)..... \$40

(b) Family.

(1) ~~Commitment--petitions--under--the--Mental Health-and-Developmental-Disabilities-Code,~~ Filing transcript--of--commitment--proceedings---held--in another--county,~~7--and~~ Cases under the Juvenile Court Act of 1987..... \$25

(2) Petition for Marriage Licenses..... \$10

(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, driving when license revoked or suspended, overweight, or no interstate commerce certificate, or when the disposition is court supervision..... \$25

(3) Each person convicted of a business offense..... \$25

(4) Each person convicted of a petty offense. \$25

(5) Minor traffic, conservation, or ordinance violation, including without limitation when the disposition is court supervision:

(i) For each offense..... \$10

(ii) For each notice sent to the defendant's last known address pursuant to subsection (c) of Section 6-306.4 of the Illinois Vehicle Code..... \$2

(iii) For each notice sent to the Secretary of State pursuant to subsection (c) of Section 6-306.4 of the Illinois Vehicle Code..... \$2

(6) When Court Appearance required..... \$15

(7) Motions to vacate or amend final orders.. \$10

(8) In ordinance violation cases punishable by fine only, the clerk of the circuit court shall be entitled to receive, unless the fee is excused upon a finding by the court that the defendant is indigent, in addition to other fees or costs allowed or imposed by law, the sum of \$62.50 as a fee for the services of a jury. The jury fee 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 defendant, no jury shall be called, and the case shall be tried by the court without a jury.

(d) Other Civil Cases.

(1) Money or personal property claimed does not exceed \$500..... \$10

(2) Exceeds \$500 but not more than \$10,000... \$25

(3) Exceeds \$10,000, when relief in addition to or supplemental to recovery of money alone is sought in an action to recover personal property taxes or retailers occupational tax regardless of amount claimed..... \$45

(4) The Clerk of the Circuit Court shall be entitled to receive, in addition to other fees allowed by law, the sum of \$62.50, as a fee for the services of a jury in every civil action not quasi-criminal in its nature and not a proceeding for the exercise of the right of eminent domain, and in every equitable 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 his jury demand. If such a fee is not paid by either party, no jury shall be called in the action, suit, or proceeding, and the same shall be tried by the court without a jury.

(e) Confession of judgment and answer.

- (1) When the amount does not exceed \$1,000... \$20
- (2) Exceeds \$1,000..... \$40

(f) Auxiliary Proceedings.

Any auxiliary proceeding relating to the collection of a money judgment, including garnishment, citation, or wage deduction action.... \$5

(g) Forcible entry and detainer.

- (1) For possession only or possession and rent not in excess of \$10,000..... \$10
- (2) For possession and rent in excess of \$10,000..... \$40

(h) Eminent Domain.

- (1) Exercise of Eminent Domain..... \$45
- (2) For each and every lot or tract of land or right or interest therein subject to be condemned, the damages in respect to which shall require separate assessments by a jury..... \$45

(i) Reinstatement.

Each case including petition for modification of a judgment or order of Court if filed later than

30 days after the entry of a judgment or order, except in forcible entry and detainer cases and small claims and except a petition to modify, terminate, or enforce a judgment or order for child or spousal support or to modify, suspend, or terminate an order for withholding, petition to vacate judgment of dismissal for want of prosecution whenever filed, petition to reopen an estate, or redocketing of any cause..... \$20

(j) Probate.

(1) Administration of decedent's estates, whether testate or intestate, guardianships of the person or estate or both of a person under legal disability, guardianships of the person or estate or both of a minor or minors, or petitions to sell real estate in the administration of any estate.... \$50

(2) Small estates in cases where the real and personal property of an estate does not exceed \$5,000..... \$25

(3) At any time during the administration of the estate, however, at the request of the Clerk, the Court shall examine the record of the estate and the personal representative to determine the total value of the real and personal property of the estate, and if such value exceeds \$5,000 shall order the payment of an additional fee in the amount of..... \$40

(4) Inheritance tax proceedings..... \$15

(5) Issuing letters only for a certain specific reason other than the administration of an estate, including but not limited to the release of mortgage; the issue of letters of guardianship in order that consent to marriage may be granted or for some other specific reason other than for the

care of property or person; proof of heirship without administration; or when a will is to be admitted to probate, but the estate is to be settled without administration..... \$10

(6) When a separate complaint relating to any matter other than a routine claim is filed in an estate, the required additional fee shall be charged for such filing..... \$45

(k) Change of Venue.

From a court, the charge is the same amount as the original filing fee; however, the fee for preparation and certification of record on change of venue, when original documents or copies are forwarded..... \$10

(l) Answer, adverse pleading, or appearance.

In civil cases..... \$15

With the following exceptions:

(1) When the amount does not exceed \$500..... \$5

(2) When amount exceeds \$500 but not \$10,000. \$10

(3) When amount exceeds \$10,000..... \$15

(4) Court appeals when documents are forwarded, over 200 pages, additional fee per page over 200..... 10¢

(m) Tax objection complaints.

For each tax objection complaint containing one or more tax objections, regardless of the number of parcels involved or the number of taxpayers joining the complaint..... \$10

(n) Tax deed.

(1) Petition for tax deed, if only one parcel is involved..... \$45

(2) For each additional parcel involved, an additional fee of..... \$10

(o) Mailing Notices and Processes.

(1) All notices that the clerk is required to mail as first class mail..... \$2

(2) For all processes or notices the Clerk is required to mail by certified or registered mail, the fee will be \$2 plus cost of postage.

(p) Certification or Authentication.

(1) Each certification or authentication for taking the acknowledgement of a deed or other instrument in writing with seal of office..... \$2

(2) Court appeals when original documents are forwarded, 100 pages or under, plus delivery costs. \$25

(3) Court appeals when original documents are forwarded, over 100 pages, plus delivery costs..... \$60

(4) Court appeals when original documents are forwarded, over 200 pages, additional fee per page over 200..... 10¢

(q) Reproductions.

Each record of proceedings and judgment, whether on appeal, change of venue, certified copies of orders and judgments, and all other instruments, documents, records, or papers:

(1) First page..... \$1

(2) Next 19 pages, per page..... 50¢

(3) All remaining pages, per page..... 25¢

(r) Counterclaim.

When any defendant files a counterclaim as part of his or her answer or otherwise, or joins another party as a third party defendant, or both, he or she shall pay a fee for each such counterclaim or third party action in an amount equal to the fee he or she would have had to pay 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.

(s) Transcript of Judgment.

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

(t) Publications.

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

(u) Collections.

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

(2) In any cases remanded to the Circuit Court from the Supreme Court or the Appellate Court, the Clerk shall file the remanding order and reinstate the case with either its original number or a new number. The Clerk shall not charge any new or additional fee for the reinstatement. Upon reinstatement the Clerk shall 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.

(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 making such payment for maintaining child support records and the processing of support orders to the

State of Illinois KIDS system and the recording of payments issued by the State Disbursement Unit for the official record of the Court. Such sum shall be in addition to and separate from amounts ordered to be paid as maintenance or child support and shall be deposited in a separate Maintenance and Child Support Collection Fund of which the Clerk shall be the custodian, ex officio, to be used by the Clerk to maintain child support orders and record all payments issued by the State Disbursement Unit for the official record of the Court. Unless paid in cash or pursuant to an order for withholding, the payment of the fee shall be by a separate instrument from the support payment and shall be made to the order of the Clerk. 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.

(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.

(v) Correction of Cases.

For correcting the case number or case title on any document filed in his office, to be charged against the party that filed the document..... \$10

(w) Record Search.

For searching a record, per year searched..... \$4

(x) Printed Output.

For each page of hard copy print output, when
case records are maintained on an automated medium. \$2

(y) Alias Summons.

For each alias summons issued..... \$2

(z) Expungement of Records.

For each expungement petition filed..... \$15

(aa) Other Fees.

Any fees not covered by this Section shall be set by
rule or administrative order of the Circuit Court, with
the approval of the Supreme Court.

(bb) Exemptions.

No fee provided for herein shall be charged to any
unit of State or local government or school district
unless the Court orders another party to pay such fee on
its behalf. The fee requirements of this Section shall
not apply to police departments or other law enforcement
agencies. In this Section, "law enforcement agency" means
an agency of the State or a unit of local government that
is vested by law or ordinance with the duty to maintain
public order and to enforce criminal laws and ordinances.
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.

No fee provided for in this Section shall be charged
in connection with the filing of any commitment petition
or petition for an order authorizing the administration
of authorized involuntary treatment in the form of
medication under the Mental Health and Developmental
Disabilities Code.

(cc) Adoptions.

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

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

(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.

(ee) Additional Services.

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

(ff) Returned checks.

For each check delivered to the clerk that is not honored on 2 occasions by the financial institution upon which it is drawn because of insufficient funds in the account, because the account is closed, because there is no account, or because a stop payment has been placed on the check, in addition to the amount already owed....\$25.

(Source: P.A. 91-165, eff. 7-16-99; 91-321, eff. 1-1-00; 91-357, eff. 7-29-99; 91-612, eff. 10-1-99; 92-16, eff. 6-28-01; 92-114, eff. 1-1-02.)

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

Sec. 27.1a. The fees of the clerks of the circuit court in all counties having a population in excess of 180,000 but not more than 500,000 inhabitants in the instances described in this Section shall be as provided in this Section. The fees shall be paid in advance and shall be as follows:

(a) Civil Cases.

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

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

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

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

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

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

(a-1) Family.

For filing a petition under the Juvenile Court Act of 1987, \$25.

For filing a petition for a marriage license, \$10.

For performing a marriage in court, \$10.

For filing a petition under the Illinois Parentage Act of 1984, \$40.

(b) Forcible Entry and Detainer.

In each forcible entry and detainer case when the plaintiff seeks possession only or unites with his or her

claim for possession of the property a claim for rent or damages or both in the amount of \$15,000 or less, \$40. When the plaintiff unites his or her claim for possession with a claim for rent or damages or both exceeding \$15,000, \$150.

(c) Counterclaim or Joining Third Party Defendant.

When any defendant files a counterclaim as part of his or her answer or otherwise or joins another party as a third party defendant, or both, the defendant shall pay a fee for each counterclaim or third party action in an amount equal to the fee he or she would have had to pay 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.

(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.

(e) Appearance.

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

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

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

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

(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,

\$30.

(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, \$40.

(2) Petition to vacate or modify any final judgment or order of court, except a petition 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 later than 30 days after the entry of the judgment or order, \$60.

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

(h) Mailing.

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

(i) Certified Copies.

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

(j) Habeas Corpus.

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

(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.

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

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

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

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

(A) First page, \$2.

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

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

(1) Remands.

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

(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.

(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.

(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 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.

(p) (Blank). ~~Commitment-Petitions.~~

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

(q) Alias Summons.

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

(r) Other Fees.

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.

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

(s) Jury Services.

The clerk shall be entitled to receive, in addition to other fees allowed by law, the sum of \$192.50, as a

fee for the services of a jury in every civil action not quasi-criminal in its nature and not a proceeding for the 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.

(t) Voluntary Assignment.

For filing each deed of voluntary assignment, \$10; for recording the same, 25¢ for each 100 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.

(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.

(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, \$100, plus the fees specified in subsection (v)(3), except:

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

(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 \$25.

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

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

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

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

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

(B) For filing a claim in an estate when the amount claimed is \$150 or more but less than \$500, \$10; when the amount claimed is \$500 or more but

less than \$10,000, \$25; when the amount claimed is \$10,000 or more, \$40; provided that the court in allowing a claim may add to the amount allowed the filing fee paid by the claimant.

(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, \$40.

(D) For filing in an estate (i) the appearance of any person for the purpose of consent or (ii) the appearance of an executor, administrator, administrator to collect, guardian, guardian ad 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.

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

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

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

(I) For each exemplification, \$1, plus the fee

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.

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

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

(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:

- (A) Felony complaints, \$80.
- (B) Misdemeanor complaints, \$50.
- (C) Business offense complaints, \$50.
- (D) Petty offense complaints, \$50.
- (E) Minor traffic or ordinance violations, \$20.
- (F) When court appearance required, \$30.
- (G) Motions to vacate or amend final orders, \$20.
- (H) Motions to vacate bond forfeiture orders, \$20.
- (I) Motions to vacate ex parte judgments, whenever filed, \$20.
- (J) Motions to vacate judgment on forfeitures, whenever filed, \$20.

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

(2) In counties having a population in excess of 180,000 but not more than 500,000 inhabitants, when the violation complaint is issued by a municipal police department, the clerk shall be entitled to costs from each person convicted therein as follows:

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

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

(3) In ordinance violation cases punishable by fine only, the clerk of the circuit court shall be entitled to receive, unless the fee is excused upon a finding by the court that the defendant is indigent, in addition to other fees or costs allowed or imposed by law, the sum of \$62.50 as a fee for the services of a jury. The jury fee 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 defendant, no jury shall be called, and the case shall be tried by the court without a jury.

(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.

(y) Change of Venue.

(1) For the filing of a change of case on a change of venue, the clerk shall be entitled to the same fee as 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, \$25.

(z) Tax objection complaints.

For each tax objection complaint containing one or

more tax objections, regardless of the number of parcels involved or the number of taxpayers joining on the complaint, \$25.

(aa) Tax Deeds.

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

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

(bb) Collections.

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

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

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

(4) In child support and maintenance cases, the clerk, if authorized by an ordinance of the county board, may collect an annual fee of up to \$36 from the person making payment for maintaining child support records and the processing of support orders to the State of Illinois KIDS system and the recording of payments issued by the State Disbursement Unit for the official record of the Court. This fee shall be in addition to and separate from amounts ordered to be paid as maintenance or child support and shall be deposited into a Separate Maintenance and Child Support Collection Fund, of which the clerk shall be the custodian, ex-officio, to be used by the clerk to maintain child support orders and record all payments issued by the State Disbursement Unit for 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, \$15.

(dd) Exceptions.

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

(2) No fee provided herein shall be charged to any 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.

(4) The fee requirements of this Section shall not apply to the filing of any commitment petition or petition for an order authorizing the administration of

authorized involuntary treatment in the form of medication under the Mental Health and Developmental Disabilities Code.

(ee) Adoptions.

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

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

(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.

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

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

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

(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.

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

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

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

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

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

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

(b) Forcible Entry and Detainer.

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

(c) Counterclaim or Joining Third Party Defendant.

When any defendant files a counterclaim as part of his or her answer or otherwise or joins another party as

a third party defendant, or both, the defendant shall pay a fee for each counterclaim or third party action in an amount equal to the fee he or she would have had to pay 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.

(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.

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

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

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

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

(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.

(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.

(2) Petition to vacate or modify any final judgment or order of court, except a petition 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 later than 30 days after the entry of the judgment or order, a minimum of \$60 and a maximum of \$75.

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

(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.

(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.

(j) Habeas Corpus.

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

(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, a minimum of \$4 and a 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.

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

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

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

(A) First page, \$2.

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

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

(l) Remands.

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

(m) Record Search.

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

(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 \$4 and a

maximum of \$6.

(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 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.

(p) (Blank). ~~Commitment-Petitions.~~

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

(q) Alias Summons.

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

(r) Other Fees.

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.

The clerk of the circuit court may provide additional services for which there is no fee specified by statute in connection with the operation of the clerk's office as may be requested by the public and agreed to by the clerk and approved by the chief judge of the circuit court. Any charges for additional services shall be as agreed to between the clerk and the party making the request and approved by the chief judge of the circuit court. Nothing in this subsection shall be construed to require any clerk to provide any service not

otherwise required by law.

(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 quasi-criminal in its nature and not a proceeding for the 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.

(t) Voluntary Assignment.

For filing each deed of voluntary assignment, a minimum of \$10 and a maximum of \$20; for recording the same, a minimum of 25¢ and a maximum of 50¢ for each 100 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.

(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.

(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:

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

(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 \$25 and a maximum of \$40.

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

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

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

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

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

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

(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, a minimum of \$40 and a maximum of \$60.

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

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

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

(G) For disposition of the collection of a judgment or settlement of an action or claim for

wrongful death of a decedent or of any cause of action of a ward, when there is no other administration of the estate, a minimum of \$30 and a maximum of \$50, less any amount paid under subsection (v)(1)(B) or (v)(2)(B) except that if the amount involved does not exceed \$5,000, the fee, including any amount paid under subsection (v)(1)(B) or (v)(2)(B), shall be a minimum of \$10 and a maximum of \$20.

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

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

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

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

(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:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) In ordinance violation cases punishable by fine only, the clerk of the circuit court shall be entitled to

receive, unless the fee is excused upon a finding by the court that the defendant is indigent, in addition to other fees or costs allowed or imposed by law, the sum of a minimum of \$50 and a maximum of \$112.50 as a fee for the services of a jury. The jury fee 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 defendant, no jury shall be called, and the case shall be tried by the court without a jury.

(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 new suit.

(y) Change of Venue.

(1) For the filing of a change of case on a change of venue, the clerk shall be entitled to the same fee as 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 \$25 and a maximum of \$40.

(z) Tax objection complaints.

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

(aa) Tax Deeds.

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

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

(bb) Collections.

(1) For all collections made of others, except the State and county and except in maintenance or child

support cases, a sum equal to a minimum of 2.5% and a maximum of 3.0% of the amount collected and turned over.

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

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

(4) In child support and maintenance cases, the clerk, if authorized by an ordinance of the county board, may collect an annual fee of up to \$36 from the person making payment for maintaining child support records and the processing of support orders to the State of Illinois KIDS system and the recording of payments issued by the State Disbursement Unit for the official record of the Court. This fee shall be in addition to and separate from amounts ordered to be paid as maintenance or child support and shall be deposited into a Separate Maintenance and Child Support Collection Fund, of which the clerk shall be the custodian, ex-officio, to be used by the clerk to maintain child support orders and record all payments issued by the State Disbursement Unit for 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 \$15 and a maximum of \$25.

(dd) Exceptions.

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

The fee requirements of this Section shall not apply to the filing of any commitment petition or petition for an order authorizing the administration of authorized involuntary treatment in the form of medication under the Mental Health and Developmental Disabilities Code.

(ee) Adoptions.

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

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

(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.

(Source: P.A. 91-321, eff. 1-1-00; 91-612, eff. 10-1-99; 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 minimum and maximum fee is stated, the clerk of the circuit court must charge the minimum fee listed and may charge up to the maximum fee if the county board has by resolution increased the fee. The fees shall be paid in advance and shall be as follows:

(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 \$190 and a maximum of \$240.

(A) When the amount of money or damages or the value of personal property claimed does not exceed \$250, a minimum of \$15 and a maximum of \$22.

(B) When that amount exceeds \$250 but does not exceed \$1000, a minimum of \$40 and a maximum of \$75.

(C) When that amount exceeds \$1000 but does not exceed \$2500, a minimum of \$50 and a maximum of \$80.

(D) When that amount exceeds \$2500 but does not exceed \$5000, a minimum of \$100 and a maximum of \$130.

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

(F) For the exercise of eminent domain, \$150.
For each additional lot or tract of land or right or

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

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

(b) Forcible Entry and Detainer.

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

(c) Counterclaim or Joining Third Party Defendant.

When any defendant files a counterclaim as part of his or her answer or otherwise or joins another party as a third party defendant, or both, the defendant shall pay a fee for each counterclaim or third party action in an amount equal to the fee he or she would have had to pay 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.

(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.

(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:

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

(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.

(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 \$50 and a maximum of \$60.

(2) Petition to vacate or modify any final judgment or order of court, except a petition 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 later than 30 days after the entry of the judgment or order, a minimum of \$75 and a maximum of \$90.

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

(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.

(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 \$15 and a maximum of \$20.

(j) Habeas Corpus.

For filing a petition for relief by habeas corpus, a minimum of \$125 and a maximum of \$190.

(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, a minimum of \$6 and a maximum of \$9.

(2) Court appeals when original documents are forwarded, under 100 pages, plus delivery and costs, a minimum of \$75 and a maximum of \$110.

(3) Court appeals when original documents are forwarded, over 100 pages, plus delivery and costs, a minimum of \$150 and a maximum of \$185.

(4) Court appeals when original documents are forwarded, over 200 pages, an additional fee of a minimum of 25 and a maximum of 30 cents per page.

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

(A) First page, \$2.

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

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

(l) Remands.

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

(m) Record Search.

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

(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.

(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 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.

(p) (Blank). Commitment-Petitions.

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

(q) Alias Summons.

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

(r) Other Fees.

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.

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

(s) Jury Services.

The clerk shall be entitled to receive, in addition to other fees allowed by law, the sum of a minimum of \$212.50 and maximum of \$230, as a fee for the services of a jury in every civil action not quasi-criminal in its nature and not a proceeding for the 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.

(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 100 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.

(u) Expungement Petition.

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

(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 \$150 and a maximum of \$225, plus the fees specified in subsection (v)(3), except:

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

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.

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

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

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

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

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

(B) For filing a claim in an estate when the amount claimed is \$150 or more but less than \$500, a minimum of \$20 and a maximum of \$40; when the amount claimed is \$500 or more but less than \$10,000, a minimum of \$40 and a maximum of \$65; when the amount claimed is \$10,000 or more, a minimum of \$60 and a

maximum of \$90; provided that the court in allowing a claim may add to the amount allowed the filing fee paid by the claimant.

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

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

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

(F) For each jury demand, a minimum of \$137.50 and a maximum of \$180.

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

(I) For each exemplification, \$2, plus the fee 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.

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

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

(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:

(A) Felony complaints, a minimum of \$125 and a maximum of \$190.

(B) Misdemeanor complaints, a minimum of \$75 and a maximum of \$110.

(C) Business offense complaints, a minimum of \$75 and a maximum of \$110.

(D) Petty offense complaints, a minimum of \$75 and a maximum of \$110.

(E) Minor traffic or ordinance violations, \$30.

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

(G) Motions to vacate or amend final orders, a minimum of \$40 and a maximum of \$80.

(H) Motions to vacate bond forfeiture orders, a minimum of \$30 and a maximum of \$45.

(I) Motions to vacate ex parte judgments, whenever filed, a minimum of \$30 and a maximum of \$45.

(J) Motions to vacate judgment on forfeitures, whenever filed, a minimum of \$25 and a maximum of \$30.

(K) Motions to vacate "failure to appear" or "failure to comply" notices sent to the Secretary of State, a minimum of \$40 and a maximum of \$50.

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

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

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

(3) In ordinance violation cases punishable by fine only, the clerk of the circuit court shall be entitled to receive, unless the fee is excused upon a finding by the court that the defendant is indigent, in addition to other fees or costs allowed or imposed by law, the sum of a minimum of \$112.50 and a maximum of \$250 as a fee for the services of a jury. The jury fee 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 defendant, no jury shall be called, and the case shall be tried by the court without a jury.

(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.

(y) Change of Venue.

(1) For the filing of a change of case on a change of venue, the clerk shall be entitled to the same fee as 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.

(z) Tax objection complaints.

For each tax objection complaint containing one or more tax objections, regardless of the number of parcels involved or the number of taxpayers joining in the complaint, a minimum of \$50 and a maximum of \$100.

(aa) Tax Deeds.

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

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

(bb) Collections.

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

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

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

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

State Disbursement Unit for the official record of the Court. This fee shall be in addition to and separate from amounts ordered to be paid as maintenance or child support and shall be deposited into a Separate Maintenance and Child Support Collection Fund, of which the clerk shall be the custodian, ex-officio, to be used by the clerk to maintain child support orders and record all payments issued by the State Disbursement Unit for 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.

(dd) Exceptions.

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

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

(3) The fee requirements of this Section shall not apply to the filing of any commitment petition or petition for an order authorizing the administration of authorized involuntary treatment in the form of medication under the Mental Health and Developmental Disabilities Code.

(ee) Adoption.

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

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

(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.

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

Section 99. Effective date. This Act takes effect upon becoming law.