



Rep. La Shawn K. Ford

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1 AMENDMENT TO HOUSE BILL 2367

2 AMENDMENT NO. _____. Amend House Bill 2367, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Criminal Identification Act is amended by
6 changing Section 5.2 as follows:

7 (20 ILCS 2630/5.2)

8 Sec. 5.2. Expungement, sealing, and immediate sealing.

9 (a) General Provisions.

10 (1) Definitions. In this Act, words and phrases have
11 the meanings set forth in this subsection, except when a
12 particular context clearly requires a different meaning.

13 (A) The following terms shall have the meanings
14 ascribed to them in the Unified Code of Corrections,
15 730 ILCS 5/5-1-2 through 5/5-1-22:

16 (i) Business Offense (730 ILCS 5/5-1-2),

- 1 (ii) Charge (730 ILCS 5/5-1-3),
2 (iii) Court (730 ILCS 5/5-1-6),
3 (iv) Defendant (730 ILCS 5/5-1-7),
4 (v) Felony (730 ILCS 5/5-1-9),
5 (vi) Imprisonment (730 ILCS 5/5-1-10),
6 (vii) Judgment (730 ILCS 5/5-1-12),
7 (viii) Misdemeanor (730 ILCS 5/5-1-14),
8 (ix) Offense (730 ILCS 5/5-1-15),
9 (x) Parole (730 ILCS 5/5-1-16),
10 (xi) Petty Offense (730 ILCS 5/5-1-17),
11 (xii) Probation (730 ILCS 5/5-1-18),
12 (xiii) Sentence (730 ILCS 5/5-1-19),
13 (xiv) Supervision (730 ILCS 5/5-1-21), and
14 (xv) Victim (730 ILCS 5/5-1-22).

15 (B) As used in this Section, "charge not initiated
16 by arrest" means a charge (as defined by 730 ILCS
17 5/5-1-3) brought against a defendant where the
18 defendant is not arrested prior to or as a direct
19 result of the charge.

20 (C) "Conviction" means a judgment of conviction or
21 sentence entered upon a plea of guilty or upon a
22 verdict or finding of guilty of an offense, rendered by
23 a legally constituted jury or by a court of competent
24 jurisdiction authorized to try the case without a jury.
25 An order of supervision successfully completed by the
26 petitioner is not a conviction. An order of qualified

1 probation (as defined in subsection (a)(1)(J))
2 successfully completed by the petitioner is not a
3 conviction. An order of supervision or an order of
4 qualified probation that is terminated
5 unsatisfactorily is a conviction, unless the
6 unsatisfactory termination is reversed, vacated, or
7 modified and the judgment of conviction, if any, is
8 reversed or vacated.

9 (D) "Criminal offense" means a petty offense,
10 business offense, misdemeanor, felony, or municipal
11 ordinance violation (as defined in subsection
12 (a)(1)(H)). As used in this Section, a minor traffic
13 offense (as defined in subsection (a)(1)(G)) shall not
14 be considered a criminal offense.

15 (E) "Expunge" means to physically destroy the
16 records or return them to the petitioner and to
17 obliterate the petitioner's name from any official
18 index or public record, or both. Nothing in this Act
19 shall require the physical destruction of the circuit
20 court file, but such records relating to arrests or
21 charges, or both, ordered expunged shall be impounded
22 as required by subsections (d)(9)(A)(ii) and
23 (d)(9)(B)(ii).

24 (F) As used in this Section, "last sentence" means
25 the sentence, order of supervision, or order of
26 qualified probation (as defined by subsection

1 (a)(1)(J)), for a criminal offense (as defined by
2 subsection (a)(1)(D)) that terminates last in time in
3 any jurisdiction, regardless of whether the petitioner
4 has included the criminal offense for which the
5 sentence or order of supervision or qualified
6 probation was imposed in his or her petition. If
7 multiple sentences, orders of supervision, or orders
8 of qualified probation terminate on the same day and
9 are last in time, they shall be collectively considered
10 the "last sentence" regardless of whether they were
11 ordered to run concurrently.

12 (G) "Minor traffic offense" means a petty offense,
13 business offense, or Class C misdemeanor under the
14 Illinois Vehicle Code or a similar provision of a
15 municipal or local ordinance.

16 (H) "Municipal ordinance violation" means an
17 offense defined by a municipal or local ordinance that
18 is criminal in nature and with which the petitioner was
19 charged or for which the petitioner was arrested and
20 released without charging.

21 (I) "Petitioner" means an adult or a minor
22 prosecuted as an adult who has applied for relief under
23 this Section.

24 (J) "Qualified probation" means an order of
25 probation under Section 10 of the Cannabis Control Act,
26 Section 410 of the Illinois Controlled Substances Act,

1 Section 70 of the Methamphetamine Control and
2 Community Protection Act, Section 5-6-3.3 or 5-6-3.4
3 of the Unified Code of Corrections, Section
4 12-4.3(b)(1) and (2) of the Criminal Code of 1961 (as
5 those provisions existed before their deletion by
6 Public Act 89-313), Section 10-102 of the Illinois
7 Alcoholism and Other Drug Dependency Act, Section
8 40-10 of the Alcoholism and Other Drug Abuse and
9 Dependency Act, or Section 10 of the Steroid Control
10 Act. For the purpose of this Section, "successful
11 completion" of an order of qualified probation under
12 Section 10-102 of the Illinois Alcoholism and Other
13 Drug Dependency Act and Section 40-10 of the Alcoholism
14 and Other Drug Abuse and Dependency Act means that the
15 probation was terminated satisfactorily and the
16 judgment of conviction was vacated.

17 (K) "Seal" means to physically and electronically
18 maintain the records, unless the records would
19 otherwise be destroyed due to age, but to make the
20 records unavailable without a court order, subject to
21 the exceptions in Sections 12 and 13 of this Act. The
22 petitioner's name shall also be obliterated from the
23 official index required to be kept by the circuit court
24 clerk under Section 16 of the Clerks of Courts Act, but
25 any index issued by the circuit court clerk before the
26 entry of the order to seal shall not be affected.

1 (L) "Sexual offense committed against a minor"
2 includes but is not limited to the offenses of indecent
3 solicitation of a child or criminal sexual abuse when
4 the victim of such offense is under 18 years of age.

5 (M) "Terminate" as it relates to a sentence or
6 order of supervision or qualified probation includes
7 either satisfactory or unsatisfactory termination of
8 the sentence, unless otherwise specified in this
9 Section.

10 (2) Minor Traffic Offenses. Orders of supervision or
11 convictions for minor traffic offenses shall not affect a
12 petitioner's eligibility to expunge or seal records
13 pursuant to this Section.

14 (2.5) Commencing 180 days after July 29, 2016 (the
15 effective date of Public Act 99-697), the law enforcement
16 agency issuing the citation shall automatically expunge,
17 on or before January 1 and July 1 of each year, the law
18 enforcement records of a person found to have committed a
19 civil law violation of subsection (a) of Section 4 of the
20 Cannabis Control Act or subsection (c) of Section 3.5 of
21 the Drug Paraphernalia Control Act in the law enforcement
22 agency's possession or control and which contains the final
23 satisfactory disposition which pertain to the person
24 issued a citation for that offense. The law enforcement
25 agency shall provide by rule the process for access,
26 review, and to confirm the automatic expungement by the law

1 enforcement agency issuing the citation. Commencing 180
2 days after July 29, 2016 (the effective date of Public Act
3 99-697), the clerk of the circuit court shall expunge, upon
4 order of the court, or in the absence of a court order on
5 or before January 1 and July 1 of each year, the court
6 records of a person found in the circuit court to have
7 committed a civil law violation of subsection (a) of
8 Section 4 of the Cannabis Control Act or subsection (c) of
9 Section 3.5 of the Drug Paraphernalia Control Act in the
10 clerk's possession or control and which contains the final
11 satisfactory disposition which pertain to the person
12 issued a citation for any of those offenses.

13 (3) Exclusions. Except as otherwise provided in
14 subsections (b) (5), (b) (6), (b) (8), (e), (e-5), and (e-6)
15 of this Section, the court shall not order:

16 (A) the sealing or expungement of the records of
17 arrests or charges not initiated by arrest that result
18 in an order of supervision for or conviction of: (i)
19 any sexual offense committed against a minor; (ii)
20 Section 11-501 of the Illinois Vehicle Code or a
21 similar provision of a local ordinance; or (iii)
22 Section 11-503 of the Illinois Vehicle Code or a
23 similar provision of a local ordinance, unless the
24 arrest or charge is for a misdemeanor violation of
25 subsection (a) of Section 11-503 or a similar provision
26 of a local ordinance, that occurred prior to the

1 offender reaching the age of 25 years and the offender
2 has no other conviction for violating Section 11-501 or
3 11-503 of the Illinois Vehicle Code or a similar
4 provision of a local ordinance.

5 (B) the sealing or expungement of records of minor
6 traffic offenses (as defined in subsection (a)(1)(G)),
7 unless the petitioner was arrested and released
8 without charging.

9 (C) the sealing of the records of arrests or
10 charges not initiated by arrest which result in an
11 order of supervision or a conviction for the following
12 offenses:

13 (i) offenses included in Article 11 of the
14 Criminal Code of 1961 or the Criminal Code of 2012
15 or a similar provision of a local ordinance, except
16 Section 11-14 and a misdemeanor violation of
17 Section 11-30 of the Criminal Code of 1961 or the
18 Criminal Code of 2012, or a similar provision of a
19 local ordinance;

20 (ii) Section 11-1.50, 12-3.4, 12-15, 12-30,
21 26-5, or 48-1 of the Criminal Code of 1961 or the
22 Criminal Code of 2012, or a similar provision of a
23 local ordinance;

24 (iii) Sections 12-3.1 or 12-3.2 of the
25 Criminal Code of 1961 or the Criminal Code of 2012,
26 or Section 125 of the Stalking No Contact Order

1 Act, or Section 219 of the Civil No Contact Order
2 Act, or a similar provision of a local ordinance;

3 (iv) Class A misdemeanors or felony offenses
4 under the Humane Care for Animals Act; or

5 (v) any offense or attempted offense that
6 would subject a person to registration under the
7 Sex Offender Registration Act.

8 (D) (blank).

9 (b) Expungement.

10 (1) A petitioner may petition the circuit court to
11 expunge the records of his or her arrests and charges not
12 initiated by arrest when each arrest or charge not
13 initiated by arrest sought to be expunged resulted in: (i)
14 acquittal, dismissal, or the petitioner's release without
15 charging, unless excluded by subsection (a)(3)(B); (ii) a
16 conviction which was vacated or reversed, unless excluded
17 by subsection (a)(3)(B); (iii) an order of supervision and
18 such supervision was successfully completed by the
19 petitioner, unless excluded by subsection (a)(3)(A) or
20 (a)(3)(B); or (iv) an order of qualified probation (as
21 defined in subsection (a)(1)(J)) and such probation was
22 successfully completed by the petitioner.

23 (1.2) Notwithstanding any other provision of this
24 Section, a petitioner may petition the circuit court to
25 expunge arrests or charges not initiated by arrest
26 resulting in:

1 (A) Class 4 felony convictions for:

2 Prostitution under Section 11-14 of the
3 Criminal Code of 1961 or the Criminal Code of 2012.

4 Possession of cannabis under Section 4 of the
5 Cannabis Control Act.

6 Possession of a controlled substance under
7 Section 402 of the Illinois Controlled Substances
8 Act.

9 Offenses under the Methamphetamine Precursor
10 Control Act.

11 Offenses under the Steroid Control Act.

12 Theft under Section 16-1 of the Criminal Code
13 of 1961 or the Criminal Code of 2012.

14 Retail theft under Section 16A-3 or paragraph
15 (a) of 16-25 of the Criminal Code of 1961 or the
16 Criminal Code of 2012.

17 Deceptive practices under Section 17-1 of the
18 Criminal Code of 1961 or the Criminal Code of 2012.

19 Forgery under Section 17-3 of the Criminal
20 Code of 1961 or the Criminal Code of 2012.

21 Possession of burglary tools under Section
22 19-2 of the Criminal Code of 1961 or the Criminal
23 Code of 2012.

24 (B) Class 3 felony convictions for:

25 Theft under Section 16-1 of the Criminal Code
26 of 1961 or the Criminal Code of 2012.

1 Retail theft under Section 16A-3 or paragraph
2 (a) of 16-25 of the Criminal Code of 1961 or the
3 Criminal Code of 2012.

4 Deceptive practices under Section 17-1 of the
5 Criminal Code of 1961 or the Criminal Code of 2012.

6 Forgery under Section 17-3 of the Criminal
7 Code of 1961 or the Criminal Code of 2012.

8 Possession with intent to manufacture or
9 deliver a controlled substance under Section 401
10 of the Illinois Controlled Substances Act.

11 (1.3) A petitioner may petition the circuit court to
12 expunge records of a civil law violation of subsection (a)
13 of Section 4 of the Cannabis Control Act or subsection (c)
14 of Section 3.5 of the Drug Paraphernalia Control Act.

15 (1.5) When a petitioner seeks to have a record of
16 arrest expunged under this Section, and the offender has
17 been convicted of a criminal offense, the State's Attorney
18 may object to the expungement on the grounds that the
19 records contain specific relevant information aside from
20 the mere fact of the arrest.

21 (2) Time frame for filing a petition to expunge.

22 (A) When the arrest or charge not initiated by
23 arrest sought to be expunged resulted in an acquittal,
24 dismissal, the petitioner's release without charging,
25 or the reversal or vacation of a conviction, there is
26 no waiting period to petition for the expungement of

1 such records.

2 (B) When the arrest or charge not initiated by
3 arrest sought to be expunged resulted in an order of
4 supervision, successfully completed by the petitioner,
5 the following time frames will apply:

6 (i) Those arrests or charges that resulted in
7 orders of supervision under Section 3-707, 3-708,
8 3-710, or 5-401.3 of the Illinois Vehicle Code or a
9 similar provision of a local ordinance, or under
10 Section 11-1.50, 12-3.2, or 12-15 of the Criminal
11 Code of 1961 or the Criminal Code of 2012, or a
12 similar provision of a local ordinance, shall not
13 be eligible for expungement until 5 years have
14 passed following the satisfactory termination of
15 the supervision.

16 (i-5) Those arrests or charges that resulted
17 in orders of supervision for a misdemeanor
18 violation of subsection (a) of Section 11-503 of
19 the Illinois Vehicle Code or a similar provision of
20 a local ordinance, that occurred prior to the
21 offender reaching the age of 25 years and the
22 offender has no other conviction for violating
23 Section 11-501 or 11-503 of the Illinois Vehicle
24 Code or a similar provision of a local ordinance
25 shall not be eligible for expungement until the
26 petitioner has reached the age of 25 years.

1 (ii) Those arrests or charges that resulted in
2 orders of supervision for any other offenses shall
3 not be eligible for expungement until 2 years have
4 passed following the satisfactory termination of
5 the supervision.

6 (C) When the arrest or charge not initiated by
7 arrest sought to be expunged resulted in an order of
8 qualified probation, successfully completed by the
9 petitioner, such records shall not be eligible for
10 expungement until 5 years have passed following the
11 satisfactory termination of the probation.

12 (3) Those records maintained by the Department for
13 persons arrested prior to their 17th birthday shall be
14 expunged as provided in Section 5-915 of the Juvenile Court
15 Act of 1987.

16 (4) Whenever a person has been arrested for or
17 convicted of any offense, in the name of a person whose
18 identity he or she has stolen or otherwise come into
19 possession of, the aggrieved person from whom the identity
20 was stolen or otherwise obtained without authorization,
21 upon learning of the person having been arrested using his
22 or her identity, may, upon verified petition to the chief
23 judge of the circuit wherein the arrest was made, have a
24 court order entered nunc pro tunc by the Chief Judge to
25 correct the arrest record, conviction record, if any, and
26 all official records of the arresting authority, the

1 Department, other criminal justice agencies, the
2 prosecutor, and the trial court concerning such arrest, if
3 any, by removing his or her name from all such records in
4 connection with the arrest and conviction, if any, and by
5 inserting in the records the name of the offender, if known
6 or ascertainable, in lieu of the aggrieved's name. The
7 records of the circuit court clerk shall be sealed until
8 further order of the court upon good cause shown and the
9 name of the aggrieved person obliterated on the official
10 index required to be kept by the circuit court clerk under
11 Section 16 of the Clerks of Courts Act, but the order shall
12 not affect any index issued by the circuit court clerk
13 before the entry of the order. Nothing in this Section
14 shall limit the Department of State Police or other
15 criminal justice agencies or prosecutors from listing
16 under an offender's name the false names he or she has
17 used.

18 (5) Whenever a person has been convicted of criminal
19 sexual assault, aggravated criminal sexual assault,
20 predatory criminal sexual assault of a child, criminal
21 sexual abuse, or aggravated criminal sexual abuse, the
22 victim of that offense may request that the State's
23 Attorney of the county in which the conviction occurred
24 file a verified petition with the presiding trial judge at
25 the petitioner's trial to have a court order entered to
26 seal the records of the circuit court clerk in connection

1 with the proceedings of the trial court concerning that
2 offense. However, the records of the arresting authority
3 and the Department of State Police concerning the offense
4 shall not be sealed. The court, upon good cause shown,
5 shall make the records of the circuit court clerk in
6 connection with the proceedings of the trial court
7 concerning the offense available for public inspection.

8 (6) If a conviction has been set aside on direct review
9 or on collateral attack and the court determines by clear
10 and convincing evidence that the petitioner was factually
11 innocent of the charge, the court that finds the petitioner
12 factually innocent of the charge shall enter an expungement
13 order for the conviction for which the petitioner has been
14 determined to be innocent as provided in subsection (b) of
15 Section 5-5-4 of the Unified Code of Corrections.

16 (7) Nothing in this Section shall prevent the
17 Department of State Police from maintaining all records of
18 any person who is admitted to probation upon terms and
19 conditions and who fulfills those terms and conditions
20 pursuant to Section 10 of the Cannabis Control Act, Section
21 410 of the Illinois Controlled Substances Act, Section 70
22 of the Methamphetamine Control and Community Protection
23 Act, Section 5-6-3.3 or 5-6-3.4 of the Unified Code of
24 Corrections, Section 12-4.3 or subdivision (b)(1) of
25 Section 12-3.05 of the Criminal Code of 1961 or the
26 Criminal Code of 2012, Section 10-102 of the Illinois

1 Alcoholism and Other Drug Dependency Act, Section 40-10 of
2 the Alcoholism and Other Drug Abuse and Dependency Act, or
3 Section 10 of the Steroid Control Act.

4 (8) If the petitioner has been granted a certificate of
5 innocence under Section 2-702 of the Code of Civil
6 Procedure, the court that grants the certificate of
7 innocence shall also enter an order expunging the
8 conviction for which the petitioner has been determined to
9 be innocent as provided in subsection (h) of Section 2-702
10 of the Code of Civil Procedure.

11 (c) Sealing.

12 (1) Applicability. Notwithstanding any other provision
13 of this Act to the contrary, and cumulative with any rights
14 to expungement of criminal records, this subsection
15 authorizes the sealing of criminal records of adults and of
16 minors prosecuted as adults. Subsection (g) of this Section
17 provides for immediate sealing of certain records.

18 (2) Eligible Records. The following records may be
19 sealed:

20 (A) All arrests resulting in release without
21 charging;

22 (B) Arrests or charges not initiated by arrest
23 resulting in acquittal, dismissal, or conviction when
24 the conviction was reversed or vacated, except as
25 excluded by subsection (a) (3) (B);

26 (C) Arrests or charges not initiated by arrest

1 resulting in orders of supervision, including orders
2 of supervision for municipal ordinance violations,
3 successfully completed by the petitioner, unless
4 excluded by subsection (a) (3);

5 (D) Arrests or charges not initiated by arrest
6 resulting in convictions, including convictions on
7 municipal ordinance violations, unless excluded by
8 subsection (a) (3);

9 (E) Arrests or charges not initiated by arrest
10 resulting in orders of first offender probation under
11 Section 10 of the Cannabis Control Act, Section 410 of
12 the Illinois Controlled Substances Act, Section 70 of
13 the Methamphetamine Control and Community Protection
14 Act, or Section 5-6-3.3 of the Unified Code of
15 Corrections; and

16 (F) Arrests or charges not initiated by arrest
17 resulting in felony convictions unless otherwise
18 excluded by subsection (a) paragraph (3) of this
19 Section.

20 (3) When Records Are Eligible to Be Sealed. Records
21 identified as eligible under subsection (c) (2) may be
22 sealed as follows:

23 (A) Records identified as eligible under
24 subsection (c) (2) (A) and (c) (2) (B) may be sealed at any
25 time.

26 (B) Except as otherwise provided in subparagraph

1 (E) of this paragraph (3), records identified as
2 eligible under subsection (c)(2)(C) may be sealed 2
3 years after the termination of petitioner's last
4 sentence (as defined in subsection (a)(1)(F)).

5 (C) Except as otherwise provided in subparagraph
6 (E) of this paragraph (3), records identified as
7 eligible under subsections (c)(2)(D), (c)(2)(E), and
8 (c)(2)(F) may be sealed 3 years after the termination
9 of the petitioner's last sentence (as defined in
10 subsection (a)(1)(F)). Convictions requiring public
11 registration under the Arsonist Registration Act, the
12 Sex Offender Registration Act, or the Murderer and
13 Violent Offender Against Youth Registration Act may
14 not be sealed until the petitioner is no longer
15 required to register under that relevant Act.

16 (D) Records identified in subsection
17 (a)(3)(A)(iii) may be sealed after the petitioner has
18 reached the age of 25 years.

19 (E) Records identified as eligible under
20 subsections (c)(2)(C), (c)(2)(D), (c)(2)(E), or
21 (c)(2)(F) may be sealed upon termination of the
22 petitioner's last sentence if the petitioner earned a
23 high school diploma, associate's degree, career
24 certificate, vocational technical certification, or
25 bachelor's degree, or passed the high school level Test
26 of General Educational Development, during the period

1 of his or her sentence, aftercare release, or mandatory
2 supervised release. This subparagraph shall apply only
3 to a petitioner who has not completed the same
4 educational goal prior to the period of his or her
5 sentence, aftercare release, or mandatory supervised
6 release. If a petition for sealing eligible records
7 filed under this subparagraph is denied by the court,
8 the time periods under subparagraph (B) or (C) shall
9 apply to any subsequent petition for sealing filed by
10 the petitioner.

11 (4) Subsequent felony convictions. A person may not
12 have subsequent felony conviction records sealed as
13 provided in this subsection (c) if he or she is convicted
14 of any felony offense after the date of the sealing of
15 prior felony convictions as provided in this subsection
16 (c). The court may, upon conviction for a subsequent felony
17 offense, order the unsealing of prior felony conviction
18 records previously ordered sealed by the court.

19 (5) Notice of eligibility for sealing. Upon entry of a
20 disposition for an eligible record under this subsection
21 (c), the petitioner shall be informed by the court of the
22 right to have the records sealed and the procedures for the
23 sealing of the records.

24 (d) Procedure. The following procedures apply to
25 expungement under subsections (b), (e), and (e-6) and sealing
26 under subsections (c) and (e-5):

1 (1) Filing the petition. Upon becoming eligible to
2 petition for the expungement or sealing of records under
3 this Section, the petitioner shall file a petition
4 requesting the expungement or sealing of records with the
5 clerk of the court where the arrests occurred or the
6 charges were brought, or both. If arrests occurred or
7 charges were brought in multiple jurisdictions, a petition
8 must be filed in each such jurisdiction. The petitioner
9 shall pay the applicable fee, except no fee shall be
10 required if the petitioner has obtained a court order
11 waiving fees under Supreme Court Rule 298 or it is
12 otherwise waived.

13 (1.5) County fee waiver pilot program. In a county of
14 3,000,000 or more inhabitants, no fee shall be required to
15 be paid by a petitioner if the records sought to be
16 expunged or sealed were arrests resulting in release
17 without charging or arrests or charges not initiated by
18 arrest resulting in acquittal, dismissal, or conviction
19 when the conviction was reversed or vacated, unless
20 excluded by subsection (a) (3) (B). The provisions of this
21 paragraph (1.5), other than this sentence, are inoperative
22 on and after January 1, 2019 ~~or one year after January 1,~~
23 ~~2017 (the effective date of Public Act 99-881), whichever~~
24 ~~is later.~~

25 (2) Contents of petition. The petition shall be
26 verified and shall contain the petitioner's name, date of

1 birth, current address and, for each arrest or charge not
2 initiated by arrest sought to be sealed or expunged, the
3 case number, the date of arrest (if any), the identity of
4 the arresting authority, and such other information as the
5 court may require. During the pendency of the proceeding,
6 the petitioner shall promptly notify the circuit court
7 clerk of any change of his or her address. If the
8 petitioner has received a certificate of eligibility for
9 sealing from the Prisoner Review Board under paragraph (10)
10 of subsection (a) of Section 3-3-2 of the Unified Code of
11 Corrections, the certificate shall be attached to the
12 petition.

13 (3) Drug test. The petitioner must attach to the
14 petition proof that the petitioner has passed a test taken
15 within 30 days before the filing of the petition showing
16 the absence within his or her body of all illegal
17 substances as defined by the Illinois Controlled
18 Substances Act, the Methamphetamine Control and Community
19 Protection Act, and the Cannabis Control Act if he or she
20 is petitioning to:

21 (A) seal felony records under clause (c) (2) (E);

22 (B) seal felony records for a violation of the
23 Illinois Controlled Substances Act, the
24 Methamphetamine Control and Community Protection Act,
25 or the Cannabis Control Act under clause (c) (2) (F);

26 (C) seal felony records under subsection (e-5); or

1 (D) expunge felony records of a qualified
2 probation under clause (b) (1) (iv).

3 (4) Service of petition. The circuit court clerk shall
4 promptly serve a copy of the petition and documentation to
5 support the petition under subsection (e-5) or (e-6) on the
6 State's Attorney or prosecutor charged with the duty of
7 prosecuting the offense, the Department of State Police,
8 the arresting agency and the chief legal officer of the
9 unit of local government effecting the arrest.

10 (5) Objections.

11 (A) Any party entitled to notice of the petition
12 may file an objection to the petition. All objections
13 shall be in writing, shall be filed with the circuit
14 court clerk, and shall state with specificity the basis
15 of the objection. Whenever a person who has been
16 convicted of an offense is granted a pardon by the
17 Governor which specifically authorizes expungement, an
18 objection to the petition may not be filed.

19 (B) Objections to a petition to expunge or seal
20 must be filed within 60 days of the date of service of
21 the petition.

22 (6) Entry of order.

23 (A) The Chief Judge of the circuit wherein the
24 charge was brought, any judge of that circuit
25 designated by the Chief Judge, or in counties of less
26 than 3,000,000 inhabitants, the presiding trial judge

1 at the petitioner's trial, if any, shall rule on the
2 petition to expunge or seal as set forth in this
3 subsection (d) (6).

4 (B) Unless the State's Attorney or prosecutor, the
5 Department of State Police, the arresting agency, or
6 the chief legal officer files an objection to the
7 petition to expunge or seal within 60 days from the
8 date of service of the petition, the court shall enter
9 an order granting or denying the petition.

10 (7) Hearings. If an objection is filed, the court shall
11 set a date for a hearing and notify the petitioner and all
12 parties entitled to notice of the petition of the hearing
13 date at least 30 days prior to the hearing. Prior to the
14 hearing, the State's Attorney shall consult with the
15 Department as to the appropriateness of the relief sought
16 in the petition to expunge or seal. At the hearing, the
17 court shall hear evidence on whether the petition should or
18 should not be granted, and shall grant or deny the petition
19 to expunge or seal the records based on the evidence
20 presented at the hearing. The court may consider the
21 following:

22 (A) the strength of the evidence supporting the
23 defendant's conviction;

24 (B) the reasons for retention of the conviction
25 records by the State;

26 (C) the petitioner's age, criminal record history,

1 and employment history;

2 (D) the period of time between the petitioner's
3 arrest on the charge resulting in the conviction and
4 the filing of the petition under this Section; and

5 (E) the specific adverse consequences the
6 petitioner may be subject to if the petition is denied.

7 (8) Service of order. After entering an order to
8 expunge or seal records, the court must provide copies of
9 the order to the Department, in a form and manner
10 prescribed by the Department, to the petitioner, to the
11 State's Attorney or prosecutor charged with the duty of
12 prosecuting the offense, to the arresting agency, to the
13 chief legal officer of the unit of local government
14 effecting the arrest, and to such other criminal justice
15 agencies as may be ordered by the court.

16 (9) Implementation of order.

17 (A) Upon entry of an order to expunge records
18 pursuant to (b) (2) (A) or (b) (2) (B) (ii), or both:

19 (i) the records shall be expunged (as defined
20 in subsection (a) (1) (E)) by the arresting agency,
21 the Department, and any other agency as ordered by
22 the court, within 60 days of the date of service of
23 the order, unless a motion to vacate, modify, or
24 reconsider the order is filed pursuant to
25 paragraph (12) of subsection (d) of this Section;

26 (ii) the records of the circuit court clerk

1 shall be impounded until further order of the court
2 upon good cause shown and the name of the
3 petitioner obliterated on the official index
4 required to be kept by the circuit court clerk
5 under Section 16 of the Clerks of Courts Act, but
6 the order shall not affect any index issued by the
7 circuit court clerk before the entry of the order;
8 and

9 (iii) in response to an inquiry for expunged
10 records, the court, the Department, or the agency
11 receiving such inquiry, shall reply as it does in
12 response to inquiries when no records ever
13 existed.

14 (B) Upon entry of an order to expunge records
15 pursuant to (b) (2) (B) (i) or (b) (2) (C), or both:

16 (i) the records shall be expunged (as defined
17 in subsection (a) (1) (E)) by the arresting agency
18 and any other agency as ordered by the court,
19 within 60 days of the date of service of the order,
20 unless a motion to vacate, modify, or reconsider
21 the order is filed pursuant to paragraph (12) of
22 subsection (d) of this Section;

23 (ii) the records of the circuit court clerk
24 shall be impounded until further order of the court
25 upon good cause shown and the name of the
26 petitioner obliterated on the official index

1 required to be kept by the circuit court clerk
2 under Section 16 of the Clerks of Courts Act, but
3 the order shall not affect any index issued by the
4 circuit court clerk before the entry of the order;

5 (iii) the records shall be impounded by the
6 Department within 60 days of the date of service of
7 the order as ordered by the court, unless a motion
8 to vacate, modify, or reconsider the order is filed
9 pursuant to paragraph (12) of subsection (d) of
10 this Section;

11 (iv) records impounded by the Department may
12 be disseminated by the Department only as required
13 by law or to the arresting authority, the State's
14 Attorney, and the court upon a later arrest for the
15 same or a similar offense or for the purpose of
16 sentencing for any subsequent felony, and to the
17 Department of Corrections upon conviction for any
18 offense; and

19 (v) in response to an inquiry for such records
20 from anyone not authorized by law to access such
21 records, the court, the Department, or the agency
22 receiving such inquiry shall reply as it does in
23 response to inquiries when no records ever
24 existed.

25 (B-5) Upon entry of an order to expunge records
26 under subsection (e-6):

1 (i) the records shall be expunged (as defined
2 in subsection (a)(1)(E)) by the arresting agency
3 and any other agency as ordered by the court,
4 within 60 days of the date of service of the order,
5 unless a motion to vacate, modify, or reconsider
6 the order is filed under paragraph (12) of
7 subsection (d) of this Section;

8 (ii) the records of the circuit court clerk
9 shall be impounded until further order of the court
10 upon good cause shown and the name of the
11 petitioner obliterated on the official index
12 required to be kept by the circuit court clerk
13 under Section 16 of the Clerks of Courts Act, but
14 the order shall not affect any index issued by the
15 circuit court clerk before the entry of the order;

16 (iii) the records shall be impounded by the
17 Department within 60 days of the date of service of
18 the order as ordered by the court, unless a motion
19 to vacate, modify, or reconsider the order is filed
20 under paragraph (12) of subsection (d) of this
21 Section;

22 (iv) records impounded by the Department may
23 be disseminated by the Department only as required
24 by law or to the arresting authority, the State's
25 Attorney, and the court upon a later arrest for the
26 same or a similar offense or for the purpose of

1 sentencing for any subsequent felony, and to the
2 Department of Corrections upon conviction for any
3 offense; and

4 (v) in response to an inquiry for these records
5 from anyone not authorized by law to access the
6 records, the court, the Department, or the agency
7 receiving the inquiry shall reply as it does in
8 response to inquiries when no records ever
9 existed.

10 (C) Upon entry of an order to seal records under
11 subsection (c), the arresting agency, any other agency
12 as ordered by the court, the Department, and the court
13 shall seal the records (as defined in subsection
14 (a) (1) (K)). In response to an inquiry for such records,
15 from anyone not authorized by law to access such
16 records, the court, the Department, or the agency
17 receiving such inquiry shall reply as it does in
18 response to inquiries when no records ever existed.

19 (D) The Department shall send written notice to the
20 petitioner of its compliance with each order to expunge
21 or seal records within 60 days of the date of service
22 of that order or, if a motion to vacate, modify, or
23 reconsider is filed, within 60 days of service of the
24 order resolving the motion, if that order requires the
25 Department to expunge or seal records. In the event of
26 an appeal from the circuit court order, the Department

1 shall send written notice to the petitioner of its
2 compliance with an Appellate Court or Supreme Court
3 judgment to expunge or seal records within 60 days of
4 the issuance of the court's mandate. The notice is not
5 required while any motion to vacate, modify, or
6 reconsider, or any appeal or petition for
7 discretionary appellate review, is pending.

8 (10) Fees. The Department may charge the petitioner a
9 fee equivalent to the cost of processing any order to
10 expunge or seal records. Notwithstanding any provision of
11 the Clerks of Courts Act to the contrary, the circuit court
12 clerk may charge a fee equivalent to the cost associated
13 with the sealing or expungement of records by the circuit
14 court clerk. From the total filing fee collected for the
15 petition to seal or expunge, the circuit court clerk shall
16 deposit \$10 into the Circuit Court Clerk Operation and
17 Administrative Fund, to be used to offset the costs
18 incurred by the circuit court clerk in performing the
19 additional duties required to serve the petition to seal or
20 expunge on all parties. The circuit court clerk shall
21 collect and forward the Department of State Police portion
22 of the fee to the Department and it shall be deposited in
23 the State Police Services Fund.

24 (11) Final Order. No court order issued under the
25 expungement or sealing provisions of this Section shall
26 become final for purposes of appeal until 30 days after

1 service of the order on the petitioner and all parties
2 entitled to notice of the petition.

3 (12) Motion to Vacate, Modify, or Reconsider. Under
4 Section 2-1203 of the Code of Civil Procedure, the
5 petitioner or any party entitled to notice may file a
6 motion to vacate, modify, or reconsider the order granting
7 or denying the petition to expunge or seal within 60 days
8 of service of the order. If filed more than 60 days after
9 service of the order, a petition to vacate, modify, or
10 reconsider shall comply with subsection (c) of Section
11 2-1401 of the Code of Civil Procedure. Upon filing of a
12 motion to vacate, modify, or reconsider, notice of the
13 motion shall be served upon the petitioner and all parties
14 entitled to notice of the petition.

15 (13) Effect of Order. An order granting a petition
16 under the expungement or sealing provisions of this Section
17 shall not be considered void because it fails to comply
18 with the provisions of this Section or because of any error
19 asserted in a motion to vacate, modify, or reconsider. The
20 circuit court retains jurisdiction to determine whether
21 the order is voidable and to vacate, modify, or reconsider
22 its terms based on a motion filed under paragraph (12) of
23 this subsection (d).

24 (14) Compliance with Order Granting Petition to Seal
25 Records. Unless a court has entered a stay of an order
26 granting a petition to seal, all parties entitled to notice

1 of the petition must fully comply with the terms of the
2 order within 60 days of service of the order even if a
3 party is seeking relief from the order through a motion
4 filed under paragraph (12) of this subsection (d) or is
5 appealing the order.

6 (15) Compliance with Order Granting Petition to
7 Expunge Records. While a party is seeking relief from the
8 order granting the petition to expunge through a motion
9 filed under paragraph (12) of this subsection (d) or is
10 appealing the order, and unless a court has entered a stay
11 of that order, the parties entitled to notice of the
12 petition must seal, but need not expunge, the records until
13 there is a final order on the motion for relief or, in the
14 case of an appeal, the issuance of that court's mandate.

15 (16) The changes to this subsection (d) made by Public
16 Act 98-163 apply to all petitions pending on August 5, 2013
17 (the effective date of Public Act 98-163) and to all orders
18 ruling on a petition to expunge or seal on or after August
19 5, 2013 (the effective date of Public Act 98-163).

20 (e) Whenever a person who has been convicted of an offense
21 is granted a pardon by the Governor which specifically
22 authorizes expungement, he or she may, upon verified petition
23 to the Chief Judge of the circuit where the person had been
24 convicted, any judge of the circuit designated by the Chief
25 Judge, or in counties of less than 3,000,000 inhabitants, the
26 presiding trial judge at the defendant's trial, have a court

1 order entered expunging the record of arrest from the official
2 records of the arresting authority and order that the records
3 of the circuit court clerk and the Department be sealed until
4 further order of the court upon good cause shown or as
5 otherwise provided herein, and the name of the defendant
6 obliterated from the official index requested to be kept by the
7 circuit court clerk under Section 16 of the Clerks of Courts
8 Act in connection with the arrest and conviction for the
9 offense for which he or she had been pardoned but the order
10 shall not affect any index issued by the circuit court clerk
11 before the entry of the order. All records sealed by the
12 Department may be disseminated by the Department only to the
13 arresting authority, the State's Attorney, and the court upon a
14 later arrest for the same or similar offense or for the purpose
15 of sentencing for any subsequent felony. Upon conviction for
16 any subsequent offense, the Department of Corrections shall
17 have access to all sealed records of the Department pertaining
18 to that individual. Upon entry of the order of expungement, the
19 circuit court clerk shall promptly mail a copy of the order to
20 the person who was pardoned.

21 (e-5) Whenever a person who has been convicted of an
22 offense is granted a certificate of eligibility for sealing by
23 the Prisoner Review Board which specifically authorizes
24 sealing, he or she may, upon verified petition to the Chief
25 Judge of the circuit where the person had been convicted, any
26 judge of the circuit designated by the Chief Judge, or in

1 counties of less than 3,000,000 inhabitants, the presiding
2 trial judge at the petitioner's trial, have a court order
3 entered sealing the record of arrest from the official records
4 of the arresting authority and order that the records of the
5 circuit court clerk and the Department be sealed until further
6 order of the court upon good cause shown or as otherwise
7 provided herein, and the name of the petitioner obliterated
8 from the official index requested to be kept by the circuit
9 court clerk under Section 16 of the Clerks of Courts Act in
10 connection with the arrest and conviction for the offense for
11 which he or she had been granted the certificate but the order
12 shall not affect any index issued by the circuit court clerk
13 before the entry of the order. All records sealed by the
14 Department may be disseminated by the Department only as
15 required by this Act or to the arresting authority, a law
16 enforcement agency, the State's Attorney, and the court upon a
17 later arrest for the same or similar offense or for the purpose
18 of sentencing for any subsequent felony. Upon conviction for
19 any subsequent offense, the Department of Corrections shall
20 have access to all sealed records of the Department pertaining
21 to that individual. Upon entry of the order of sealing, the
22 circuit court clerk shall promptly mail a copy of the order to
23 the person who was granted the certificate of eligibility for
24 sealing.

25 (e-6) Whenever a person who has been convicted of an
26 offense is granted a certificate of eligibility for expungement

1 by the Prisoner Review Board which specifically authorizes
2 expungement, he or she may, upon verified petition to the Chief
3 Judge of the circuit where the person had been convicted, any
4 judge of the circuit designated by the Chief Judge, or in
5 counties of less than 3,000,000 inhabitants, the presiding
6 trial judge at the petitioner's trial, have a court order
7 entered expunging the record of arrest from the official
8 records of the arresting authority and order that the records
9 of the circuit court clerk and the Department be sealed until
10 further order of the court upon good cause shown or as
11 otherwise provided herein, and the name of the petitioner
12 obliterated from the official index requested to be kept by the
13 circuit court clerk under Section 16 of the Clerks of Courts
14 Act in connection with the arrest and conviction for the
15 offense for which he or she had been granted the certificate
16 but the order shall not affect any index issued by the circuit
17 court clerk before the entry of the order. All records sealed
18 by the Department may be disseminated by the Department only as
19 required by this Act or to the arresting authority, a law
20 enforcement agency, the State's Attorney, and the court upon a
21 later arrest for the same or similar offense or for the purpose
22 of sentencing for any subsequent felony. Upon conviction for
23 any subsequent offense, the Department of Corrections shall
24 have access to all expunged records of the Department
25 pertaining to that individual. Upon entry of the order of
26 expungement, the circuit court clerk shall promptly mail a copy

1 of the order to the person who was granted the certificate of
2 eligibility for expungement.

3 (f) Subject to available funding, the Illinois Department
4 of Corrections shall conduct a study of the impact of sealing,
5 especially on employment and recidivism rates, utilizing a
6 random sample of those who apply for the sealing of their
7 criminal records under Public Act 93-211. At the request of the
8 Illinois Department of Corrections, records of the Illinois
9 Department of Employment Security shall be utilized as
10 appropriate to assist in the study. The study shall not
11 disclose any data in a manner that would allow the
12 identification of any particular individual or employing unit.
13 The study shall be made available to the General Assembly no
14 later than September 1, 2010.

15 (g) Immediate Sealing.

16 (1) Applicability. Notwithstanding any other provision
17 of this Act to the contrary, and cumulative with any rights
18 to expungement or sealing of criminal records, this
19 subsection authorizes the immediate sealing of criminal
20 records of adults and of minors prosecuted as adults.

21 (2) Eligible Records. Arrests or charges not initiated
22 by arrest resulting in acquittal or dismissal with
23 prejudice, except as excluded by subsection (a) (3) (B),
24 that occur on or after January 1, 2018 (the effective date
25 of Public Act 100-282) ~~this amendatory Act of the 100th~~
26 ~~General Assembly~~, may be sealed immediately if the petition

1 is filed with the circuit court clerk on the same day and
2 during the same hearing in which the case is disposed.

3 (3) When Records are Eligible to be Immediately Sealed.
4 Eligible records under paragraph (2) of this subsection (g)
5 may be sealed immediately after entry of the final
6 disposition of a case, notwithstanding the disposition of
7 other charges in the same case.

8 (4) Notice of Eligibility for Immediate Sealing. Upon
9 entry of a disposition for an eligible record under this
10 subsection (g), the defendant shall be informed by the
11 court of his or her right to have eligible records
12 immediately sealed and the procedure for the immediate
13 sealing of these records.

14 (5) Procedure. The following procedures apply to
15 immediate sealing under this subsection (g).

16 (A) Filing the Petition. Upon entry of the final
17 disposition of the case, the defendant's attorney may
18 immediately petition the court, on behalf of the
19 defendant, for immediate sealing of eligible records
20 under paragraph (2) of this subsection (g) that are
21 entered on or after January 1, 2018 (the effective date
22 of Public Act 100-282) ~~this amendatory Act of the 100th~~
23 ~~General Assembly~~. The immediate sealing petition may
24 be filed with the circuit court clerk during the
25 hearing in which the final disposition of the case is
26 entered. If the defendant's attorney does not file the

1 petition for immediate sealing during the hearing, the
2 defendant may file a petition for sealing at any time
3 as authorized under subsection (c) (3) (A).

4 (B) Contents of Petition. The immediate sealing
5 petition shall be verified and shall contain the
6 petitioner's name, date of birth, current address, and
7 for each eligible record, the case number, the date of
8 arrest if applicable, the identity of the arresting
9 authority if applicable, and other information as the
10 court may require.

11 (C) Drug Test. The petitioner shall not be required
12 to attach proof that he or she has passed a drug test.

13 (D) Service of Petition. A copy of the petition
14 shall be served on the State's Attorney in open court.
15 The petitioner shall not be required to serve a copy of
16 the petition on any other agency.

17 (E) Entry of Order. The presiding trial judge shall
18 enter an order granting or denying the petition for
19 immediate sealing during the hearing in which it is
20 filed. Petitions for immediate sealing shall be ruled
21 on in the same hearing in which the final disposition
22 of the case is entered.

23 (F) Hearings. The court shall hear the petition for
24 immediate sealing on the same day and during the same
25 hearing in which the disposition is rendered.

26 (G) Service of Order. An order to immediately seal

1 eligible records shall be served in conformance with
2 subsection (d) (8).

3 (H) Implementation of Order. An order to
4 immediately seal records shall be implemented in
5 conformance with subsections (d) (9) (C) and (d) (9) (D).

6 (I) Fees. The fee imposed by the circuit court
7 clerk and the Department of State Police shall comply
8 with paragraph (1) of subsection (d) of this Section.

9 (J) Final Order. No court order issued under this
10 subsection (g) shall become final for purposes of
11 appeal until 30 days after service of the order on the
12 petitioner and all parties entitled to service of the
13 order in conformance with subsection (d) (8).

14 (K) Motion to Vacate, Modify, or Reconsider. Under
15 Section 2-1203 of the Code of Civil Procedure, the
16 petitioner, State's Attorney, or the Department of
17 State Police may file a motion to vacate, modify, or
18 reconsider the order denying the petition to
19 immediately seal within 60 days of service of the
20 order. If filed more than 60 days after service of the
21 order, a petition to vacate, modify, or reconsider
22 shall comply with subsection (c) of Section 2-1401 of
23 the Code of Civil Procedure.

24 (L) Effect of Order. An order granting an immediate
25 sealing petition shall not be considered void because
26 it fails to comply with the provisions of this Section

1 or because of an error asserted in a motion to vacate,
2 modify, or reconsider. The circuit court retains
3 jurisdiction to determine whether the order is
4 voidable, and to vacate, modify, or reconsider its
5 terms based on a motion filed under subparagraph (L) of
6 this subsection (g).

7 (M) Compliance with Order Granting Petition to
8 Seal Records. Unless a court has entered a stay of an
9 order granting a petition to immediately seal, all
10 parties entitled to service of the order must fully
11 comply with the terms of the order within 60 days of
12 service of the order.

13 (h) The Cannabis Expungement Fund is created as a special
14 fund in the State treasury. The Department of Human Services
15 shall, subject to appropriation by the General Assembly, use
16 all moneys in the Cannabis Expungement Fund to provide grants
17 to support communities within this State in socio-economic
18 distress.

19 (Source: P.A. 99-78, eff. 7-20-15; 99-378, eff. 1-1-16; 99-385,
20 eff. 1-1-16; 99-642, eff. 7-28-16; 99-697, eff. 7-29-16;
21 99-881, eff. 1-1-17; 100-201, eff. 8-18-17; 100-282, eff.
22 1-1-18; 100-284, eff. 8-24-17; 100-287, eff. 8-24-17; revised
23 10-13-17.)

24 Section 10. The State Finance Act is amended by adding
25 Section 5.886 as follows:

1 (30 ILCS 105/5.886 new)

2 Sec. 5.886. The Cannabis Expungement Fund.

3 Section 15. The Clerks of Courts Act is amended by changing
4 Sections 27.1a, 27.2, and 27.2a as follows:

5 (705 ILCS 105/27.1a) (from Ch. 25, par. 27.1a)

6 Sec. 27.1a. The fees of the clerks of the circuit court in
7 all counties having a population of not more than 500,000
8 inhabitants in the instances described in this Section shall be
9 as provided in this Section. In those instances where a minimum
10 and maximum fee is stated, the clerk of the circuit court must
11 charge the minimum fee listed and may charge up to the maximum
12 fee if the county board has by resolution increased the fee.
13 The fees shall be paid in advance and shall be as follows:

14 (a) Civil Cases.

15 With the following exceptions, the fee for filing a
16 complaint, petition, or other pleading initiating a civil
17 action shall be a minimum of \$40 and shall be a maximum of
18 \$160 through December 31, 2021 and a maximum of \$154 on and
19 after January 1, 2022.

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

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

1 exceed \$500, a minimum of \$10 and a maximum of \$20.

2 (C) When that amount exceeds \$500 but does not
3 exceed \$2500, a minimum of \$25 and a maximum of \$40.

4 (D) When that amount exceeds \$2500 but does not
5 exceed \$15,000, a minimum of \$25 and a maximum of \$75.

6 (E) For the exercise of eminent domain, a minimum
7 of \$45 and a maximum of \$150. For each additional lot
8 or tract of land or right or interest therein subject
9 to be condemned, the damages in respect to which shall
10 require separate assessment by a jury, a minimum of \$45
11 and a maximum of \$150.

12 (a-1) Family.

13 For filing a petition under the Juvenile Court Act of
14 1987, \$25.

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

16 For performing a marriage in court, \$10.

17 For filing a petition under the Illinois Parentage Act
18 of 2015, \$40.

19 (b) Eviction.

20 In each eviction case when the plaintiff seeks eviction
21 only or unites with his or her claim for eviction a claim
22 for rent or damages or both in the amount of \$15,000 or
23 less, a minimum of \$10 and a maximum of \$50. When the
24 plaintiff unites his or her claim for eviction with a claim
25 for rent or damages or both exceeding \$15,000, a minimum of
26 \$40 and a maximum of \$160.

1 (c) Counterclaim or Joining Third Party Defendant.

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

11 (d) Confession of Judgment.

12 In a confession of judgment when the amount does not
13 exceed \$1500, a minimum of \$20 and a maximum of \$50. When
14 the amount exceeds \$1500, but does not exceed \$15,000, a
15 minimum of \$40 and a maximum of \$115. When the amount
16 exceeds \$15,000, a minimum of \$40 and a maximum of \$200.

17 (e) Appearance.

18 The fee for filing an appearance in each civil case
19 shall be a minimum of \$15 and a maximum of \$60, except as
20 follows:

21 (A) When the plaintiff in an eviction case seeks
22 eviction only, a minimum of \$10 and a maximum of \$50.

23 (B) When the amount in the case does not exceed
24 \$1500, a minimum of \$10 and a maximum of \$30.

25 (C) When that amount exceeds \$1500 but does not
26 exceed \$15,000, a minimum of \$15 and a maximum of \$60.

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

2 In garnishment affidavit, wage deduction affidavit,
3 and citation petition when the amount does not exceed
4 \$1,000, a minimum of \$5 and a maximum of \$15; when the
5 amount exceeds \$1,000 but does not exceed \$5,000, a minimum
6 of \$5 and a maximum of \$30; and when the amount exceeds
7 \$5,000, a minimum of \$5 and a maximum of \$50.

8 (g) Petition to Vacate or Modify.

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

17 (2) Petition to vacate or modify any final judgment or
18 order of court, except a petition to modify, terminate, or
19 enforce a judgment or order for child or spousal support or
20 to modify, suspend, or terminate an order for withholding,
21 if filed later than 30 days after the entry of the judgment
22 or order, a minimum of \$20 and a maximum of \$75.

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

25 (h) Mailing.

26 When the clerk is required to mail, the fee will be a

1 minimum of \$2 and a maximum of \$10, plus the cost of
2 postage.

3 (i) Certified Copies.

4 Each certified copy of a judgment after the first,
5 except in small claims and eviction cases, a minimum of \$2
6 and a maximum of \$10.

7 (j) Habeas Corpus.

8 For filing a petition for relief by habeas corpus, a
9 minimum of \$60 and a maximum of \$100.

10 (k) Certification, Authentication, and Reproduction.

11 (1) Each certification or authentication for taking
12 the acknowledgment of a deed or other instrument in writing
13 with the seal of office, a minimum of \$2 and a maximum of
14 \$6.

15 (2) Court appeals when original documents are
16 forwarded, under 100 pages, plus delivery and costs, a
17 minimum of \$20 and a maximum of \$60.

18 (3) Court appeals when original documents are
19 forwarded, over 100 pages, plus delivery and costs, a
20 minimum of \$50 and a maximum of \$150.

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

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

26 (A) First page, a minimum of \$1 and a maximum of

1 \$2.

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

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

4 (1) Remands.

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

15 (m) Record Search.

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

19 (n) Hard Copy.

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

24 (o) Index Inquiry and Other Records.

25 No fee shall be charged for a single
26 plaintiff/defendant index inquiry or single case record

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

9 (p) (Blank).

10 (q) Alias Summons.

11 For each alias summons or citation issued by the clerk,
12 a minimum of \$2 and a maximum of \$5.

13 (r) Other Fees.

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

18 The clerk of the circuit court may provide additional
19 services for which there is no fee specified by statute in
20 connection with the operation of the clerk's office as may
21 be requested by the public and agreed to by the clerk and
22 approved by the chief judge of the circuit court. Any
23 charges for additional services shall be as agreed to
24 between the clerk and the party making the request and
25 approved by the chief judge of the circuit court. Nothing
26 in this subsection shall be construed to require any clerk

1 to provide any service not otherwise required by law.

2 (s) Jury Services.

3 The clerk shall be entitled to receive, in addition to
4 other fees allowed by law, the sum of a minimum of \$62.50
5 and a maximum of \$212.50, as a fee for the services of a
6 jury in every civil action not quasi-criminal in its nature
7 and not a proceeding for the exercise of the right of
8 eminent domain and in every other action wherein the right
9 of trial by jury is or may be given by law. The jury fee
10 shall be paid by the party demanding a jury at the time of
11 filing the jury demand. If the fee is not paid by either
12 party, no jury shall be called in the action or proceeding,
13 and the same shall be tried by the court without a jury.

14 (t) Voluntary Assignment.

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

1 (u) Expungement Petition.

2 The clerk shall be entitled to receive a fee of a
3 minimum of \$15 and a maximum of \$60 for each expungement
4 petition filed and an additional fee of a minimum of \$2 and
5 a maximum of \$4 for each certified copy of an order to
6 expunge arrest records. In addition to the filing fee, the
7 clerk shall collect \$250 for each expungement petition
8 filed under paragraph (1.3) of subsection (b) of the
9 Criminal Identification Act which shall be transmitted to
10 the State Treasurer for deposit into the Cannabis
11 Expungement Fund.

12 (v) Probate.

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

17 (1) For administration of the estate of a decedent
18 (whether testate or intestate) or of a missing person, a
19 minimum of \$50 and a maximum of \$150, plus the fees
20 specified in subsection (v) (3), except:

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

24 (B) When (i) proof of heirship alone is made, (ii)
25 a domestic or foreign will is admitted to probate
26 without administration (including proof of heirship),

1 or (iii) letters of office are issued for a particular
2 purpose without administration of the estate, the fee
3 shall be a minimum of \$10 and a maximum of \$40.

4 (C) For filing a petition to sell Real Estate, \$50.

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

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

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

19 (C) For filing a Petition to sell Real Estate, \$50.

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

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

26 (B) For filing a claim in an estate when the amount

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

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

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

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

23 (F) For each jury demand, a minimum of \$62.50 and a
24 maximum of \$137.50.

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

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

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

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

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

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

24 (6) The executor, administrator, guardian, petitioner,
25 or other interested person or his or her attorney shall pay
26 to the clerk all postage charges incurred by the clerk in

1 mailing petitions, orders, notices, or other documents
2 pursuant to the provisions of the Probate Act of 1975.

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

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

7 (A) Felony complaints, a minimum of \$40 and a
8 maximum of \$100.

9 (B) Misdemeanor complaints, a minimum of \$25 and a
10 maximum of \$75.

11 (C) Business offense complaints, a minimum of \$25
12 and a maximum of \$75.

13 (D) Petty offense complaints, a minimum of \$25 and
14 a maximum of \$75.

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

16 (F) When court appearance required, \$15.

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

19 (H) Motions to vacate bond forfeiture orders, a
20 minimum of \$20 and a maximum of \$40.

21 (I) Motions to vacate ex parte judgments, whenever
22 filed, a minimum of \$20 and a maximum of \$40.

23 (J) Motions to vacate judgment on forfeitures,
24 whenever filed, a minimum of \$20 and a maximum of \$40.

25 (K) Motions to vacate "failure to appear" or
26 "failure to comply" notices sent to the Secretary of

1 State, a minimum of \$20 and a maximum of \$40.

2 (2) In counties having a population of not more than
3 500,000 inhabitants, when the violation complaint is
4 issued by a municipal police department, the clerk shall be
5 entitled to costs from each person convicted therein as
6 follows:

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

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

9 (3) In ordinance violation cases punishable by fine
10 only, the clerk of the circuit court shall be entitled to
11 receive, unless the fee is excused upon a finding by the
12 court that the defendant is indigent, in addition to other
13 fees or costs allowed or imposed by law, the sum of a
14 minimum of \$62.50 and a maximum of \$137.50 as a fee for the
15 services of a jury. The jury fee shall be paid by the
16 defendant at the time of filing his or her jury demand. If
17 the fee is not so paid by the defendant, no jury shall be
18 called, and the case shall be tried by the court without a
19 jury.

20 (x) Transcripts of Judgment.

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

24 (y) Change of Venue.

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

1 were the commencement of a new suit.

2 (2) The fee for the preparation and certification of a
3 record on a change of venue to another jurisdiction, when
4 original documents are forwarded, a minimum of \$10 and a
5 maximum of \$40.

6 (z) Tax objection complaints.

7 For each tax objection complaint containing one or more
8 tax objections, regardless of the number of parcels
9 involved or the number of taxpayers joining on the
10 complaint, a minimum of \$10 and a maximum of \$50.

11 (aa) Tax Deeds.

12 (1) Petition for tax deed, if only one parcel is
13 involved, a minimum of \$45 and a maximum of \$200.

14 (2) For each additional parcel, add a fee of a minimum
15 of \$10 and a maximum of \$60.

16 (bb) Collections.

17 (1) For all collections made of others, except the
18 State and county and except in maintenance or child support
19 cases, a sum equal to a minimum of 2% and a maximum of 2.5%
20 of the amount collected and turned over.

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

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

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

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

23 (cc) Corrections of Numbers.

24 For correction of the case number, case title, or
25 attorney computer identification number, if required by
26 rule of court, on any document filed in the clerk's office,

1 to be charged against the party that filed the document, a
2 minimum of \$10 and a maximum of \$25.

3 (dd) Exceptions.

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

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

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

21 (4) The fee requirements of this Section shall not
22 apply to the filing of any commitment petition or petition
23 for an order authorizing the administration of
24 psychotropic medication or electroconvulsive therapy under
25 the Mental Health and Developmental Disabilities Code.

26 (ee) Adoptions.

1 (1) For an adoption \$65

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

7 (ff) Adoption exemptions.

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

13 (Source: P.A. 99-85, eff. 1-1-16; 99-859, eff. 8-19-16;
14 100-173, eff. 1-1-18.)

15 (705 ILCS 105/27.2) (from Ch. 25, par. 27.2)

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

1 apply to all units of local government and school districts in
2 counties with more than 3,000,000 inhabitants. The fees shall
3 be paid in advance and shall be as follows:

4 (a) Civil Cases.

5 With the following exceptions, the fee for filing a
6 complaint, petition, or other pleading initiating a civil
7 action shall be a minimum of \$150 and shall be a maximum of
8 \$190 through December 31, 2021 and a maximum of \$184 on and
9 after January 1, 2022.

10 (A) When the amount of money or damages or the
11 value of personal property claimed does not exceed
12 \$250, a minimum of \$10 and a maximum of \$15.

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

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

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

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

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

26 (F) No fees shall be charged by the clerk to a

1 petitioner in any order of protection including, but
2 not limited to, filing, modifying, withdrawing,
3 certifying, or photocopying petitions for orders of
4 protection, or for issuing alias summons, or for any
5 related filing service, certifying, modifying,
6 vacating, or photocopying any orders of protection.

7 (b) Eviction.

8 In each eviction case when the plaintiff seeks eviction
9 only or unites with his or her claim for eviction a claim
10 for rent or damages or both in the amount of \$15,000 or
11 less, a minimum of \$40 and a maximum of \$75. When the
12 plaintiff unites his or her claim for eviction with a claim
13 for rent or damages or both exceeding \$15,000, a minimum of
14 \$150 and a maximum of \$225.

15 (c) Counterclaim or Joining Third Party Defendant.

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

25 (d) Confession of Judgment.

26 In a confession of judgment when the amount does not

1 exceed \$1500, a minimum of \$50 and a maximum of \$60. When
2 the amount exceeds \$1500, but does not exceed \$5,000, \$75.
3 When the amount exceeds \$5,000, but does not exceed
4 \$15,000, \$175. When the amount exceeds \$15,000, a minimum
5 of \$200 and a maximum of \$250.

6 (e) Appearance.

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

10 (A) When the plaintiff in an eviction case seeks
11 eviction only, a minimum of \$20 and a maximum of \$40.

12 (B) When the amount in the case does not exceed
13 \$1500, a minimum of \$20 and a maximum of \$40.

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

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

18 In garnishment affidavit, wage deduction affidavit,
19 and citation petition when the amount does not exceed
20 \$1,000, a minimum of \$10 and a maximum of \$15; when the
21 amount exceeds \$1,000 but does not exceed \$5,000, a minimum
22 of \$20 and a maximum of \$30; and when the amount exceeds
23 \$5,000, a minimum of \$30 and a maximum of \$50.

24 (g) Petition to Vacate or Modify.

25 (1) Petition to vacate or modify any final judgment or
26 order of court, except in eviction cases and small claims

1 cases or a petition to reopen an estate, to modify,
2 terminate, or enforce a judgment or order for child or
3 spousal support, or to modify, suspend, or terminate an
4 order for withholding, if filed before 30 days after the
5 entry of the judgment or order, a minimum of \$40 and a
6 maximum of \$50.

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

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

15 (h) Mailing.

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

19 (i) Certified Copies.

20 Each certified copy of a judgment after the first,
21 except in small claims and eviction cases, a minimum of \$10
22 and a maximum of \$15.

23 (j) Habeas Corpus.

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

26 (k) Certification, Authentication, and Reproduction.

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

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

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

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

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

16 (A) First page, \$2.

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

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

19 (1) Remands.

20 In any cases remanded to the Circuit Court from the
21 Supreme Court or the Appellate Court for a new trial, the
22 clerk shall file the remanding order and reinstate the case
23 with either its original number or a new number. The Clerk
24 shall not charge any new or additional fee for the
25 reinstatement. Upon reinstatement the Clerk shall advise
26 the parties of the reinstatement. A party shall have the

1 same right to a jury trial on remand and reinstatement as
2 he or she had before the appeal, and no additional or new
3 fee or charge shall be made for a jury trial after remand.

4 (m) Record Search.

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

8 (n) Hard Copy.

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

13 (o) Index Inquiry and Other Records.

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

24 (p) (Blank).

25 (q) Alias Summons.

26 For each alias summons or citation issued by the clerk,

1 a minimum of \$4 and a maximum of \$5.

2 (r) Other Fees.

3 Any fees not covered in this Section shall be set by
4 rule or administrative order of the Circuit Court with the
5 approval of the Administrative Office of the Illinois
6 Courts.

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

17 (s) Jury Services.

18 The clerk shall be entitled to receive, in addition to
19 other fees allowed by law, the sum of a minimum of \$192.50
20 and a maximum of \$212.50, as a fee for the services of a
21 jury in every civil action not quasi-criminal in its nature
22 and not a proceeding for the exercise of the right of
23 eminent domain and in every other action wherein the right
24 of trial by jury is or may be given by law. The jury fee
25 shall be paid by the party demanding a jury at the time of
26 filing the jury demand. If the fee is not paid by either

1 party, no jury shall be called in the action or proceeding,
2 and the same shall be tried by the court without a jury.

3 (t) Voluntary Assignment.

4 For filing each deed of voluntary assignment, a minimum
5 of \$10 and a maximum of \$20; for recording the same, a
6 minimum of 25¢ and a maximum of 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 benefit
9 of creditors shall be considered and treated, for the
10 purpose of taxing costs therein, as actions in which the
11 party or parties filing the exceptions shall be considered
12 as party or parties plaintiff, and the claimant or
13 claimants as party or parties defendant, and those parties
14 respectively shall pay to the clerk the same fees as
15 provided by this Section to be paid in other actions.

16 (u) Expungement Petition.

17 The clerk shall be entitled to receive a fee of a
18 minimum of \$30 and a maximum of \$60 for each expungement
19 petition filed and an additional fee of a minimum of \$2 and
20 a maximum of \$4 for each certified copy of an order to
21 expunge arrest records. In addition to the filing fee, the
22 clerk shall collect \$250 for each expungement petition
23 filed under paragraph (1.3) of subsection (b) of the
24 Criminal Identification Act which shall be transmitted to
25 the State Treasurer for deposit into the Cannabis
26 Expungement Fund.

1 (v) Probate.

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

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

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

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

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

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

25 (B) When (i) letters of office are issued to a
26 guardian of the person or persons, but not of the

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

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

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

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

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

1 and a maximum of \$60.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

26 (D) Petty offense complaints, a minimum of \$50 and

1 a maximum of \$75.

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

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

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

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

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

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

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

15 (2) In counties having a population of more than
16 500,000 but fewer than 3,000,000 inhabitants, when the
17 violation complaint is issued by a municipal police
18 department, the clerk shall be entitled to costs from each
19 person convicted therein as follows:

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

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

22 (3) In ordinance violation cases punishable by fine
23 only, the clerk of the circuit court shall be entitled to
24 receive, unless the fee is excused upon a finding by the
25 court that the defendant is indigent, in addition to other
26 fees or costs allowed or imposed by law, the sum of a

1 minimum of \$50 and a maximum of \$112.50 as a fee for the
2 services of a jury. The jury fee shall be paid by the
3 defendant at the time of filing his or her jury demand. If
4 the fee is not so paid by the defendant, no jury shall be
5 called, and the case shall be tried by the court without a
6 jury.

7 (x) Transcripts of Judgment.

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

11 (y) Change of Venue.

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

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

19 (z) Tax objection complaints.

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

24 (aa) Tax Deeds.

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

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

3 (bb) Collections.

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

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

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

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

1 issued by the State Disbursement Unit for the official
2 record of the Court. The clerk may recover from the person
3 making the maintenance or child support payment any
4 additional cost incurred in the collection of this annual
5 fee.

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

11 (cc) Corrections of Numbers.

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

17 (dd) Exceptions.

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

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

6 The fee requirements of this Section shall not apply to
7 the filing of any commitment petition or petition for an
8 order authorizing the administration of psychotropic
9 medication or electroconvulsive therapy under the Mental
10 Health and Developmental Disabilities Code.

11 (ee) Adoptions.

12 (1) For an adoption \$65

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

18 (ff) Adoption exemptions.

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

24 (gg) Unpaid fees.

25 Unless a court ordered payment schedule is implemented
26 or the fee requirements of this Section are waived pursuant

1 to court order, the clerk of the court may add to any
2 unpaid fees and costs under this Section a delinquency
3 amount equal to 5% of the unpaid fees that remain unpaid
4 after 30 days, 10% of the unpaid fees that remain unpaid
5 after 60 days, and 15% of the unpaid fees that remain
6 unpaid after 90 days. Notice to those parties may be made
7 by signage posting or publication. The additional
8 delinquency amounts collected under this Section shall be
9 used to defray additional administrative costs incurred by
10 the clerk of the circuit court in collecting unpaid fees
11 and costs.

12 (Source: P.A. 99-859, eff. 8-19-16; 100-173, eff. 1-1-18;
13 revised 10-6-17.)

14 (705 ILCS 105/27.2a) (from Ch. 25, par. 27.2a)

15 Sec. 27.2a. The fees of the clerks of the circuit court in
16 all counties having a population of 3,000,000 or more
17 inhabitants in the instances described in this Section shall be
18 as provided in this Section. In those instances where a minimum
19 and maximum fee is stated, the clerk of the circuit court must
20 charge the minimum fee listed and may charge up to the maximum
21 fee if the county board has by resolution increased the fee.
22 The fees shall be paid in advance and shall be as follows:

23 (a) Civil Cases.

24 With the following exceptions, the fee for filing a
25 complaint, petition, or other pleading initiating a civil

1 action shall be a minimum of \$190 and shall be a maximum of
2 \$240 through December 31, 2021 and a maximum of \$234 on and
3 after January 1, 2022.

4 (A) When the amount of money or damages or the
5 value of personal property claimed does not exceed
6 \$250, a minimum of \$15 and a maximum of \$22.

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

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

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

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

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

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

26 (H) No fees shall be charged by the clerk to a

1 petitioner in any order of protection including, but
2 not limited to, filing, modifying, withdrawing,
3 certifying, or photocopying petitions for orders of
4 protection, or for issuing alias summons, or for any
5 related filing service, certifying, modifying,
6 vacating, or photocopying any orders of protection.

7 (b) Eviction.

8 In each eviction case when the plaintiff seeks eviction
9 only or unites with his or her claim for eviction a claim
10 for rent or damages or both in the amount of \$15,000 or
11 less, a minimum of \$75 and a maximum of \$140. When the
12 plaintiff unites his or her claim for eviction with a claim
13 for rent or damages or both exceeding \$15,000, a minimum of
14 \$225 and a maximum of \$335.

15 (c) Counterclaim or Joining Third Party Defendant.

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

25 (d) Confession of Judgment.

26 In a confession of judgment when the amount does not

1 exceed \$1500, a minimum of \$60 and a maximum of \$70. When
2 the amount exceeds \$1500, but does not exceed \$5000, a
3 minimum of \$75 and a maximum of \$150. When the amount
4 exceeds \$5000, but does not exceed \$15,000, a minimum of
5 \$175 and a maximum of \$260. When the amount exceeds
6 \$15,000, a minimum of \$250 and a maximum of \$310.

7 (e) Appearance.

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

11 (A) When the plaintiff in an eviction case seeks
12 possession only, a minimum of \$40 and a maximum of \$80.

13 (B) When the amount in the case does not exceed
14 \$1500, a minimum of \$40 and a maximum of \$80.

15 (C) When that amount exceeds \$1500 but does not
16 exceed \$15,000, a minimum of \$60 and a maximum of \$90.

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

18 In garnishment affidavit, wage deduction affidavit,
19 and citation petition when the amount does not exceed
20 \$1,000, a minimum of \$15 and a maximum of \$25; when the
21 amount exceeds \$1,000 but does not exceed \$5,000, a minimum
22 of \$30 and a maximum of \$45; and when the amount exceeds
23 \$5,000, a minimum of \$50 and a maximum of \$80.

24 (g) Petition to Vacate or Modify.

25 (1) Petition to vacate or modify any final judgment or
26 order of court, except in eviction cases and small claims

1 cases or a petition to reopen an estate, to modify,
2 terminate, or enforce a judgment or order for child or
3 spousal support, or to modify, suspend, or terminate an
4 order for withholding, if filed before 30 days after the
5 entry of the judgment or order, a minimum of \$50 and a
6 maximum of \$60.

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

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

15 (h) Mailing.

16 When the clerk is required to mail, the fee will be a
17 minimum of \$10 and a maximum of \$15, plus the cost of
18 postage.

19 (i) Certified Copies.

20 Each certified copy of a judgment after the first,
21 except in small claims and eviction cases, a minimum of \$15
22 and a maximum of \$20.

23 (j) Habeas Corpus.

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

26 (k) Certification, Authentication, and Reproduction.

1 (1) Each certification or authentication for taking
2 the acknowledgment of a deed or other instrument in writing
3 with the seal of office, a minimum of \$6 and a maximum of
4 \$9.

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

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

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

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

16 (A) First page, \$2.

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

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

19 (1) Remands.

20 In any cases remanded to the Circuit Court from the
21 Supreme Court or the Appellate Court for a new trial, the
22 clerk shall file the remanding order and reinstate the case
23 with either its original number or a new number. The Clerk
24 shall not charge any new or additional fee for the
25 reinstatement. Upon reinstatement the Clerk shall advise
26 the parties of the reinstatement. A party shall have the

1 same right to a jury trial on remand and reinstatement as
2 he or she had before the appeal, and no additional or new
3 fee or charge shall be made for a jury trial after remand.

4 (m) Record Search.

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

8 (n) Hard Copy.

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

13 (o) Index Inquiry and Other Records.

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

24 (p) (Blank).

25 (q) Alias Summons.

26 For each alias summons or citation issued by the clerk,

1 a minimum of \$5 and a maximum of \$6.

2 (r) Other Fees.

3 Any fees not covered in this Section shall be set by
4 rule or administrative order of the Circuit Court with the
5 approval of the Administrative Office of the Illinois
6 Courts.

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

17 (s) Jury Services.

18 The clerk shall be entitled to receive, in addition to
19 other fees allowed by law, the sum of a minimum of \$212.50
20 and maximum of \$230, as a fee for the services of a jury in
21 every civil action not quasi-criminal in its nature and not
22 a proceeding for the exercise of the right of eminent
23 domain and in every other action wherein the right of trial
24 by jury is or may be given by law. The jury fee shall be
25 paid by the party demanding a jury at the time of filing
26 the jury demand. If the fee is not paid by either party, no

1 jury shall be called in the action or proceeding, and the
2 same shall be tried by the court without a jury.

3 (t) Voluntary Assignment.

4 For filing each deed of voluntary assignment, a minimum
5 of \$20 and a maximum of \$40; for recording the same, a
6 minimum of 50¢ and a maximum of \$0.80 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 benefit
9 of creditors shall be considered and treated, for the
10 purpose of taxing costs therein, as actions in which the
11 party or parties filing the exceptions shall be considered
12 as party or parties plaintiff, and the claimant or
13 claimants as party or parties defendant, and those parties
14 respectively shall pay to the clerk the same fees as
15 provided by this Section to be paid in other actions.

16 (u) Expungement Petition.

17 The clerk shall be entitled to receive a fee of a
18 minimum of \$60 and a maximum of \$120 for each expungement
19 petition filed and an additional fee of a minimum of \$4 and
20 a maximum of \$8 for each certified copy of an order to
21 expunge arrest records. In addition to the filing fee, the
22 clerk shall collect \$250 for each expungement petition
23 filed under paragraph (1.3) of subsection (b) of the
24 Criminal Identification Act which shall be transmitted to
25 the State Treasurer for deposit into the Cannabis
26 Expungement Fund.

1 (v) Probate.

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

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

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

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

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

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

25 (B) When (i) letters of office are issued to a
26 guardian of the person or persons, but not of the

1 estate or (ii) letters of office are issued in the
2 estate of a ward without administration of the estate,
3 including filing or joining in the filing of a tax
4 return or releasing a mortgage or consenting to the
5 marriage of the ward, the fee shall be a minimum of \$20
6 and a maximum of \$40.

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

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

13 (B) For filing a claim in an estate when the amount
14 claimed is \$150 or more but less than \$500, a minimum
15 of \$20 and a maximum of \$40; when the amount claimed is
16 \$500 or more but less than \$10,000, a minimum of \$40
17 and a maximum of \$65; when the amount claimed is
18 \$10,000 or more, a minimum of \$60 and a maximum of \$90;
19 provided that the court in allowing a claim may add to
20 the amount allowed the filing fee paid by the claimant.

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

1 and a maximum of \$90.

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

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

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

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

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

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

1 certification.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 (3) In ordinance violation cases punishable by fine
21 only, the clerk of the circuit court shall be entitled to
22 receive, unless the fee is excused upon a finding by the
23 court that the defendant is indigent, in addition to other
24 fees or costs allowed or imposed by law, the sum of a
25 minimum of \$112.50 and a maximum of \$250 as a fee for the
26 services of a jury. The jury fee shall be paid by the

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

5 (x) Transcripts of Judgment.

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

9 (y) Change of Venue.

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

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

17 (z) Tax objection complaints.

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

22 (aa) Tax Deeds.

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

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

1 (bb) Collections.

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

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

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

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

1 maintenance or child support payment any additional cost
2 incurred in the collection of this annual fee.

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

8 (cc) Corrections of Numbers.

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

14 (dd) Exceptions.

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

23 (2) No fee provided herein shall be charged to any unit
24 of local government or school district. The fee
25 requirements of this Section shall not apply to any action
26 instituted under subsection (b) of Section 11-31-1 of the

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

6 (3) The fee requirements of this Section shall not
7 apply to the filing of any commitment petition or petition
8 for an order authorizing the administration of
9 psychotropic medication or electroconvulsive therapy under
10 the Mental Health and Developmental Disabilities Code.

11 (ee) Adoption.

12 (1) For an adoption \$65

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

18 (ff) Adoption exemptions.

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

24 (gg) Unpaid fees.

25 Unless a court ordered payment schedule is implemented
26 or the fee requirements of this Section are waived pursuant

1 to court order, the clerk of the court may add to any
2 unpaid fees and costs under this Section a delinquency
3 amount equal to 5% of the unpaid fees that remain unpaid
4 after 30 days, 10% of the unpaid fees that remain unpaid
5 after 60 days, and 15% of the unpaid fees that remain
6 unpaid after 90 days. Notice to those parties may be made
7 by signage posting or publication. The additional
8 delinquency amounts collected under this Section shall be
9 used to defray additional administrative costs incurred by
10 the clerk of the circuit court in collecting unpaid fees
11 and costs.

12 (Source: P.A. 99-859, eff. 8-19-16; 100-173, eff. 1-1-18.)

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