



Rep. Mike Bost

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09400HB5457ham001

LRB094 15205 WGH 56528 a

1 AMENDMENT TO HOUSE BILL 5457

2 AMENDMENT NO. _____. Amend House Bill 5457 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Clerks of Courts Act is amended by changing
5 Sections 27.1a, 27.3a, and 27.3c as follows:

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

7 Sec. 27.1a. Fees; counties of not more than 500,000
8 inhabitants.

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

17 (a) Civil Cases.

18 The fee for filing a complaint, petition, or other
19 pleading initiating a civil action, with the following
20 exceptions, shall be a minimum of \$40 and a maximum of
21 \$160.

22 (A) When the amount of money or damages or the
23 value of personal property claimed does not exceed
24 \$250, \$10.

1 (B) When that amount exceeds \$250 but does not
2 exceed \$500, a minimum of \$10 and a maximum of \$20.

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

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

7 (D-1) When that amount exceeds \$15,000 but does not
8 exceed \$50,000, a minimum of \$40 and a maximum of \$160.

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

15 (a-1) Family.

16 For filing a petition under the Juvenile Court Act of
17 1987, \$25.

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

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

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

22 (b) Forcible Entry and Detainer.

23 In each forcible entry and detainer case when the
24 plaintiff seeks possession only or unites with his or her
25 claim for possession of the property a claim for rent or
26 damages or both in the amount of \$15,000 or less, a minimum
27 of \$10 and a maximum of \$50. When the plaintiff unites his
28 or her claim for possession with a claim for rent or
29 damages or both exceeding \$15,000, a minimum of \$40 and a
30 maximum of \$160.

31 (c) Counterclaim or Joining Third Party Defendant.

32 When any defendant files a counterclaim as part of his
33 or her answer or otherwise or joins another party as a
34 third party defendant, or both, the defendant shall pay a

1 fee for each counterclaim or third party action in an
2 amount equal to the fee he or she would have had to pay had
3 he or she brought a separate action for the relief sought
4 in the counterclaim or against the third party defendant,
5 less the amount of the appearance fee, if that has been
6 paid.

7 (d) Confession of Judgment.

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

13 (e) Appearance.

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

17 (A) When the plaintiff in a forcible entry and
18 detainer case seeks possession only, a minimum of \$10
19 and a maximum of \$50.

20 (B) When the amount in the case does not exceed
21 \$1500, a minimum of \$10 and a maximum of \$30.

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

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

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

31 (g) Petition to Vacate or Modify.

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

1 to modify, terminate, or enforce a judgment or order for
2 child or spousal support, or to modify, suspend, or
3 terminate an order for withholding, if filed before 30 days
4 after the entry of the judgment or order, a minimum of \$20
5 and a maximum of \$50.

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

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

14 (h) Mailing.

15 When the clerk is required to mail, the fee will be a
16 minimum of \$2 and a maximum of \$10, plus the cost of
17 postage.

18 (i) Certified Copies.

19 Each certified copy of a judgment after the first,
20 except in small claims and forcible entry and detainer
21 cases, a minimum of \$2 and a maximum of \$10.

22 (j) Habeas Corpus.

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

25 (k) Certification, Authentication, and Reproduction.

26 (1) Each certification or authentication for taking
27 the acknowledgment of a deed or other instrument in writing
28 with the seal of office, a minimum of \$2 and a maximum of
29 \$6.

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

33 (3) Court appeals when original documents are
34 forwarded, over 100 pages, plus delivery and costs, a

1 minimum of \$50 and a maximum of \$150.

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

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

7 (A) First page, a minimum of \$1 and a maximum of
8 \$2.

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

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

11 (l) Remands.

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

22 (m) Record Search.

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

26 (n) Hard Copy.

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

31 (o) Index Inquiry and Other Records.

32 No fee shall be charged for a single
33 plaintiff/defendant index inquiry or single case record
34 inquiry when this request is made in person and the records

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

8 (p) (Blank).

9 ~~a minimum of \$25 and a maximum of \$50~~

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
27 to provide any service not otherwise required by law.

28 (s) Jury Services.

29 The clerk shall be entitled to receive, in addition to
30 other fees allowed by law, the sum of a minimum of \$62.50
31 and a maximum of \$212.50, as a fee for the services of a
32 jury in every civil action not quasi-criminal in its nature
33 and not a proceeding for the exercise of the right of
34 eminent domain and in every other action wherein the right

1 of trial by jury is or may be given by law. The jury fee
2 shall be paid by the party demanding a jury at the time of
3 filing the jury demand. If the fee is not paid by either
4 party, no jury shall be called in the action or proceeding,
5 and the same shall be tried by the court without a jury.

6 (t) Voluntary Assignment.

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

19 (u) Expungement Petition; petition to seal records.

20 (1) The clerk shall be entitled to receive a fee of a
21 minimum of \$15 and a maximum of \$60 for each expungement
22 petition filed and an additional fee of a minimum of \$2 and
23 a maximum of \$4 for each certified copy of an order to
24 expunge arrest records.

25 (2) Notwithstanding any provisions of this Act to the
26 contrary, and subject to the approval of the county board,
27 the clerk may charge a fee equivalent to the cost
28 associated with the sealing of records by the clerk and the
29 Department of State Police. The clerk shall forward the
30 Department of State Police portion of the fee to the
31 Department and it shall be deposited into the State Police
32 Service Fund.

33 (v) Probate.

34 The clerk is entitled to receive the fees specified in

1 this subsection (v), which shall be paid in advance, except
2 that, for good cause shown, the court may suspend, reduce,
3 or release the costs payable under this subsection:

4 (1) For administration of the estate of a decedent
5 (whether testate or intestate) or of a missing person, a
6 minimum of \$50 and a maximum of \$150, 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) proof of heirship alone is made, (ii)
12 a domestic or foreign will is admitted to probate
13 without administration (including proof of heirship),
14 or (iii) letters of office are issued for a particular
15 purpose without administration of the estate, the fee
16 shall be a minimum of \$10 and a maximum of \$40.

17 (C) For filing a petition to sell Real Estate, when
18 the original will does not specifically authorize the
19 executor to sell real estate, \$50.

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

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

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

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

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

4 (A) For each account or report (other than one
5 final account or report) filed in the estate of a
6 decedent, or ward, a minimum of \$10 and a maximum of
7 \$25.

8 (B) For filing a claim in an estate when the amount
9 claimed is \$150 or more but less than \$500, a minimum
10 of \$10 and a maximum of \$25; when the amount claimed is
11 \$500 or more but less than \$10,000, a minimum of \$10
12 and a maximum of \$40; when the amount claimed is
13 \$10,000 or more, a minimum of \$10 and a maximum of \$60;
14 provided that the court in allowing a claim may add to
15 the amount allowed the filing fee paid by the claimant.

16 (C) For filing in an estate a claim, petition, or
17 supplemental proceeding based upon an action seeking
18 equitable relief including the construction or contest
19 of a will, enforcement of a contract to make a will,
20 and proceedings involving testamentary trusts or the
21 appointment of testamentary trustees, a fee of not more
22 than \$60 ~~a minimum of \$40 and a maximum of \$60.~~

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

28 (E) Except as provided in subsection (v) (3) (D),
29 for filing the appearance of any person or persons, a
30 fee of not more than \$30 ~~a minimum of \$10 and a maximum~~
31 ~~of \$30.~~

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

34 (G) For disposition of the collection of a judgment

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

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

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

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

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

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

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

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

34 (A) Felony complaints, a minimum of \$40 and a

1 maximum of \$100.

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

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

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

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

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

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

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

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

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

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

21 (2) In counties having a population of not more than
22 500,000 inhabitants, when the violation complaint is
23 issued by a municipal police department, the clerk shall be
24 entitled to costs from each person convicted therein as
25 follows:

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

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

28 (3) In ordinance violation cases punishable by fine
29 only, the clerk of the circuit court shall be entitled to
30 receive, unless the fee is excused upon a finding by the
31 court that the defendant is indigent, in addition to other
32 fees or costs allowed or imposed by law, the sum of a
33 minimum of \$62.50 and a maximum of \$137.50 as a fee for the
34 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 \$10 and a
16 maximum of \$40.

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 on the
21 complaint, a minimum of \$10 and a maximum of \$50.

22 (aa) Tax Deeds.

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

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

27 (bb) Collections.

28 (1) For all collections made for ~~of~~ others, except the
29 State and county and except in maintenance or child support
30 cases, a sum equal to a minimum of 2% and a maximum of 2.5%
31 of the amount collected and turned over.

32 (2) Interest earned on any funds held by the clerk,
33 including funds held for others, except the State and
34 county and except in maintenance or child support cases,

1 shall be turned over to the county general fund as an
2 earning of the office.

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

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

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

28 (cc) Corrections of Numbers.

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

34 (dd) Exceptions.

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

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

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

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

23 (ee) Adoptions.

24 (1) For an adoption \$65

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

30 (ff) Adoption exemptions.

31 No fee other than that set forth in subsection (ee)
 32 shall be charged to any person in connection with an
 33 adoption proceeding nor may any fee be charged for
 34 proceedings for the appointment of a confidential

1 intermediary under the Adoption Act.

2 (Source: P.A. 92-16, eff. 6-28-01; 92-521, eff. 6-1-02; 93-39,
3 eff. 7-1-03; 93-385, eff. 7-25-03; 93-573, eff. 8-21-03;
4 revised 9-5-03.)

5 (705 ILCS 105/27.3a) (from Ch. 25, par. 27.3a)

6 Sec. 27.3a. Fees for automated record keeping.

7 1. The expense of establishing and maintaining automated
8 record keeping systems in the offices of the clerks of the
9 circuit court shall be borne by the county. To defray such
10 expense in any county having established such an automated
11 system or which elects to establish such a system, the county
12 board may require the clerk of the circuit court in their
13 county to charge and collect a court automation fee of not less
14 than \$1 nor more than \$15 to be charged and collected by the
15 clerk of the court. Such fee shall be paid at the time of
16 filing the first pleading, paper or other appearance filed by
17 each party in all civil cases or by the defendant in any
18 felony, traffic, misdemeanor, municipal ordinance, or
19 conservation case upon a judgment of guilty or grant of
20 supervision, provided that the record keeping system which
21 processes the case category for which the fee is charged is
22 automated or has been approved for automation by the county
23 board, and provided further that no additional fee shall be
24 required if more than one party is presented in a single
25 pleading, paper or other appearance. Such fee shall be
26 collected in the manner in which all other fees or costs are
27 collected.

28 2. Each clerk shall commence such charges and collections
29 upon receipt of written notice from the chairman of the county
30 board together with a certified copy of the board's resolution,
31 which the clerk shall file of record in his office.

32 3. Such fees shall be in addition to all other fees and
33 charges of such clerks, and assessable as costs, and may be

1 waived only if the judge specifically provides for the waiver
2 of the court automation fee. The fees shall be remitted monthly
3 by such clerk to the county treasurer, to be retained by him in
4 a special fund designated as the court automation fund. The
5 fund shall be audited by a licensed public accountant retained
6 for the purpose of conducting the circuit clerk audit as
7 detailed in Section 27.8. The public accountant may be assisted
8 by the county auditor, if any, and the board shall make
9 expenditure from the fund in payment of any cost related to the
10 automation of court records, including hardware, software,
11 research and development costs and personnel related thereto,
12 provided that the expenditure is approved by the clerk of the
13 court and by the chief judge of the circuit court or his
14 designate.

15 4. Such fees shall not be charged in any matter coming to
16 any such clerk on change of venue, nor in any proceeding to
17 review the decision of any administrative officer, agency or
18 body.

19 (Source: P.A. 94-595, eff. 1-1-06.)

20 (705 ILCS 105/27.3c) (from Ch. 25, par. 27.3c)

21 Sec. 27.3c. Document storage system.

22 (a) The expense of establishing and maintaining a document
23 storage system in the offices of the circuit court clerks in
24 the several counties of this State shall be borne by the
25 county. To defray the expense in any county that elects to
26 establish a document storage system and convert the records of
27 the circuit court clerk to electronic or micrographic storage,
28 the county board may require the clerk of the circuit court in
29 its county to collect a court document fee of not less than \$1
30 nor more than \$15, to be charged and collected by the clerk of
31 the court. The fee shall be paid at the time of filing the
32 first pleading, paper, or other appearance filed by each party
33 in all civil cases or by the defendant in any felony,

1 misdemeanor, traffic, ordinance, or conservation matter on a
2 judgment of guilty or grant of supervision, provided that the
3 document storage system is in place or has been authorized by
4 the county board and further that no additional fee shall be
5 required if more than one party is presented in a single
6 pleading, paper, or other appearance. The fee shall be
7 collected in the manner in which all other fees or costs are
8 collected.

9 (b) Each clerk shall commence charges and collections of a
10 court document fee upon receipt of written notice from the
11 chairman of the county board together with a certified copy of
12 the board's resolution, which the clerk shall file of record in
13 his or her office.

14 (c) Court document fees shall be in addition to other fees
15 and charges of the clerk, shall be assessable as costs, and may
16 be waived only if the judge specifically provides for the
17 waiver of the court document storage fee. The fees shall be
18 remitted monthly by the clerk to the county treasurer, to be
19 retained by the treasurer in a special fund designated as the
20 Court Document Storage Fund. The fund shall be audited by a
21 licensed public accountant retained for the purpose of
22 conducting the circuit clerk audit as detailed in Section 27.8.
23 The public accountant may be assisted by the county auditor, if
24 any, and the board shall make expenditures from the fund in
25 payment of any costs relative to the storage of court records,
26 including hardware, software, research and development costs,
27 and related personnel, provided that the expenditure is
28 approved by the clerk of the circuit court.

29 (d) A court document fee shall not be charged in any matter
30 coming to the clerk on change of venue or in any proceeding to
31 review the decision of any administrative officer, agency, or
32 body.

33 (Source: P.A. 94-596, eff. 1-1-06.)

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