

1 AN ACT concerning health.

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

4 Section 5. The Mental Health and Developmental
5 Disabilities Code is amended by changing Sections 2-102, 2-107,
6 2-107.1, 2-107.2, 2-107.3, 2-200, and 3-802 as follows:

7 (405 ILCS 5/2-102) (from Ch. 91 1/2, par. 2-102)

8 Sec. 2-102. (a) A recipient of services shall be provided
9 with adequate and humane care and services in the least
10 restrictive environment, pursuant to an individual services
11 plan. The Plan shall be formulated and periodically reviewed
12 with the participation of the recipient to the extent feasible
13 and the recipient's guardian, the recipient's substitute
14 decision maker, if any, or any other individual designated in
15 writing by the recipient. The facility shall advise the
16 recipient of his or her right to designate a family member or
17 other individual to participate in the formulation and review
18 of the treatment plan. In determining whether care and services
19 are being provided in the least restrictive environment, the
20 facility shall consider the views of the recipient, if any,
21 concerning the treatment being provided. The recipient's
22 preferences regarding emergency interventions under subsection
23 (d) of Section 2-200 shall be noted in the recipient's

1 treatment plan.

2 (a-5) If the services include the administration of
3 electroconvulsive therapy or psychotropic medication
4 ~~authorized involuntary treatment~~, the physician or the
5 physician's designee shall advise the recipient, in writing, of
6 the side effects, risks, and benefits of the treatment, as well
7 as alternatives to the proposed treatment, to the extent such
8 advice is consistent with the recipient's ability to understand
9 the information communicated. The physician shall determine
10 and state in writing whether the recipient has the capacity to
11 make a reasoned decision about the treatment. The physician or
12 the physician's designee shall provide to the recipient's
13 substitute decision maker, if any, the same written information
14 that is required to be presented to the recipient in writing.
15 If the recipient lacks the capacity to make a reasoned decision
16 about the treatment, the treatment may be administered only (i)
17 pursuant to the provisions of Section 2-107 or 2-107.1 or (ii)
18 pursuant to a power of attorney for health care under the
19 Powers of Attorney for Health Care Law or a declaration for
20 mental health treatment under the Mental Health Treatment
21 Preference Declaration Act. A surrogate decision maker, other
22 than a court appointed guardian, under the Health Care
23 Surrogate Act may not consent to the administration of
24 electroconvulsive therapy or psychotropic medication
25 ~~authorized involuntary treatment~~. A surrogate may, however,
26 petition for administration of such ~~authorized involuntary~~

1 treatment pursuant to this Act. If the recipient is under
2 guardianship and the guardian is authorized to consent to the
3 administration of electroconvulsive therapy or psychotropic
4 medication ~~authorized involuntary treatment~~ pursuant to
5 subsection (c) of Section 2-107.1 of this Code, the physician
6 shall advise the guardian in writing of the side effects and
7 risks of the treatment, alternatives to the proposed treatment,
8 and the risks and benefits of the treatment. A qualified
9 professional shall be responsible for overseeing the
10 implementation of such plan. Such care and treatment shall make
11 reasonable accommodation of any physical disability of the
12 recipient, including but not limited to the regular use of sign
13 language for any hearing impaired individual for whom sign
14 language is a primary mode of communication. If the recipient
15 is unable to communicate effectively in English, the facility
16 shall make reasonable efforts to provide services to the
17 recipient in a language that the recipient understands.

18 (b) A recipient of services who is an adherent or a member
19 of any well-recognized religious denomination, the principles
20 and tenets of which teach reliance upon services by spiritual
21 means through prayer alone for healing by a duly accredited
22 practitioner thereof, shall have the right to choose such
23 services. The parent or guardian of a recipient of services who
24 is a minor, or a guardian of a recipient of services who is not
25 a minor, shall have the right to choose services by spiritual
26 means through prayer for the recipient of services.

1 (Source: P.A. 90-538, eff. 12-1-97; 91-726, eff. 6-2-00.)

2 (405 ILCS 5/2-107) (from Ch. 91 1/2, par. 2-107)

3 Sec. 2-107. Refusal of services; informing of risks.

4 (a) An adult recipient of services or the recipient's
5 guardian, if the recipient is under guardianship, and the
6 recipient's substitute decision maker, if any, must be informed
7 of the recipient's right to refuse medication or
8 electroconvulsive therapy. The recipient and the recipient's
9 guardian or substitute decision maker shall be given the
10 opportunity to refuse generally accepted mental health or
11 developmental disability services, including but not limited
12 to medication or electroconvulsive therapy. If such services
13 are refused, they shall not be given unless such services are
14 necessary to prevent the recipient from causing serious and
15 imminent physical harm to the recipient or others and no less
16 restrictive alternative is available. The facility director
17 shall inform a recipient, guardian, or substitute decision
18 maker, if any, who refuses such services of alternate services
19 available and the risks of such alternate services, as well as
20 the possible consequences to the recipient of refusal of such
21 services.

22 (b) Psychotropic medication or electroconvulsive therapy
23 ~~Authorized involuntary treatment~~ may be administered ~~given~~
24 under this Section for up to 24 hours only if the circumstances
25 leading up to the need for emergency treatment are set forth in

1 writing in the recipient's record.

2 (c) Administration of medication or electroconvulsive
3 therapy ~~Authorized involuntary treatment~~ may not be continued
4 unless the need for such treatment is redetermined at least
5 every 24 hours based upon a personal examination of the
6 recipient by a physician or a nurse under the supervision of a
7 physician and the circumstances demonstrating that need are set
8 forth in writing in the recipient's record.

9 (d) Neither psychotropic medication nor electroconvulsive
10 therapy ~~Authorized involuntary treatment~~ may ~~not~~ be
11 administered under this Section for a period in excess of 72
12 hours, excluding Saturdays, Sundays, and holidays, unless a
13 petition is filed under Section 2-107.1 and the treatment
14 continues to be necessary under subsection (a) of this Section.
15 Once the petition has been filed, treatment may continue in
16 compliance with subsections (a), (b), and (c) of this Section
17 until the final outcome of the hearing on the petition.

18 (e) The Department shall issue rules designed to insure
19 that in State-operated mental health facilities psychotropic
20 medication and electroconvulsive therapy are ~~authorized~~
21 ~~involuntary treatment is~~ administered in accordance with this
22 Section and only when appropriately authorized and monitored by
23 a physician or a nurse under the supervision of a physician in
24 accordance with accepted medical practice. The facility
25 director of each mental health facility not operated by the
26 State shall issue rules designed to insure that in that

1 facility psychotropic medication and electroconvulsive therapy
2 are authorized ~~involuntary treatment is~~ administered in
3 accordance with this Section and only when appropriately
4 authorized and monitored by a physician or a nurse under the
5 supervision of a physician in accordance with accepted medical
6 practice. Such rules shall be available for public inspection
7 and copying during normal business hours.

8 (f) The provisions of this Section with respect to the
9 emergency administration of psychotropic medication and
10 electroconvulsive therapy ~~authorized involuntary treatment~~ do
11 not apply to facilities licensed under the Nursing Home Care
12 Act.

13 (g) Under no circumstances may long-acting psychotropic
14 medications be administered under this Section.

15 (h) Whenever psychotropic medication or electroconvulsive
16 therapy is refused pursuant to subsection (a) of this Section
17 at least once that day, the physician shall determine and state
18 in writing the reasons why the recipient did not meet the
19 criteria for administration of medication or electroconvulsive
20 therapy ~~involuntary treatment~~ under subsection (a) and whether
21 the recipient meets the standard for administration of
22 psychotropic medication or electroconvulsive therapy
23 ~~authorized involuntary treatment~~ under Section 2-107.1 of this
24 Code. If the physician determines that the recipient meets the
25 standard for administration of psychotropic medication or
26 electroconvulsive therapy ~~authorized involuntary treatment~~

1 under Section 2-107.1, the facility director or his or her
2 designee shall petition the court for administration of
3 psychotropic medication or electroconvulsive therapy
4 ~~authorized involuntary treatment~~ pursuant to that Section
5 unless the facility director or his or her designee states in
6 writing in the recipient's record why the filing of such a
7 petition is not warranted. This subsection (h) applies only to
8 State-operated mental health facilities.

9 (i) The Department shall conduct annual trainings for all
10 physicians and registered nurses working in State-operated
11 mental health facilities on the appropriate use of emergency
12 administration of psychotropic medication and
13 electroconvulsive therapy ~~authorized involuntary treatment~~,
14 standards for their ~~its~~ use, and the methods of authorization
15 under this Section.

16 (Source: P.A. 94-1066, eff. 8-1-06.)

17 (405 ILCS 5/2-107.1) (from Ch. 91 1/2, par. 2-107.1)

18 Sec. 2-107.1. Administration of psychotropic medication
19 and electroconvulsive therapy ~~authorized involuntary treatment~~
20 upon application to a court.

21 (a) (Blank). ~~An adult recipient of services and the~~
22 ~~recipient's guardian, if the recipient is under guardianship,~~
23 ~~and the substitute decision maker, if any, shall be informed of~~
24 ~~the recipient's right to refuse medication. The recipient and~~
25 ~~the recipient's guardian or substitute decision maker shall be~~

1 ~~given the opportunity to refuse generally accepted mental~~
2 ~~health or developmental disability services, including but not~~
3 ~~limited to medication.~~

4 (a-5) Notwithstanding the provisions of Section 2-107 of
5 this Code, psychotropic medication and electroconvulsive
6 therapy ~~authorized involuntary treatment~~ may be administered
7 to an adult recipient of services without the informed consent
8 of the recipient under the following standards:

9 (1) Any person 18 years of age or older, including any
10 guardian, may petition the circuit court for an order
11 authorizing the administration of psychotropic medication
12 and electroconvulsive therapy ~~authorized involuntary~~
13 ~~treatment~~ to a recipient of services. The petition shall
14 state that the petitioner has made a good faith attempt to
15 determine whether the recipient has executed a power of
16 attorney for health care under the Powers of Attorney for
17 Health Care Law or a declaration for mental health
18 treatment under the Mental Health Treatment Preference
19 Declaration Act and to obtain copies of these instruments
20 if they exist. If either of the above-named instruments is
21 available to the petitioner, the instrument or a copy of
22 the instrument shall be attached to the petition as an
23 exhibit. The petitioner shall deliver a copy of the
24 petition, and notice of the time and place of the hearing,
25 to the respondent, his or her attorney, any known agent or
26 attorney-in-fact, if any, and the guardian, if any, no

1 later than 3 days prior to the date of the hearing. Service
2 of the petition and notice of the time and place of the
3 hearing may be made by transmitting them via facsimile
4 machine to the respondent or other party. Upon receipt of
5 the petition and notice, the party served, or the person
6 delivering the petition and notice to the party served,
7 shall acknowledge service. If the party sending the
8 petition and notice does not receive acknowledgement of
9 service within 24 hours, service must be made by personal
10 service.

11 The petition may include a request that the court
12 authorize such testing and procedures as may be essential
13 for the safe and effective administration of the
14 psychotropic medication or electroconvulsive therapy
15 ~~authorized involuntary treatment~~ sought to be
16 administered, but only where the petition sets forth the
17 specific testing and procedures sought to be administered.

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

24 (2) The court shall hold a hearing within 7 days of the
25 filing of the petition. The People, the petitioner, or the
26 respondent shall be entitled to a continuance of up to 7

1 days as of right. An additional continuance of not more
2 than 7 days may be granted to any party (i) upon a showing
3 that the continuance is needed in order to adequately
4 prepare for or present evidence in a hearing under this
5 Section or (ii) under exceptional circumstances. The court
6 may grant an additional continuance not to exceed 21 days
7 when, in its discretion, the court determines that such a
8 continuance is necessary in order to provide the recipient
9 with an examination pursuant to Section 3-803 or 3-804 of
10 this Act, to provide the recipient with a trial by jury as
11 provided in Section 3-802 of this Act, or to arrange for
12 the substitution of counsel as provided for by the Illinois
13 Supreme Court Rules. The hearing shall be separate from a
14 judicial proceeding held to determine whether a person is
15 subject to involuntary admission but may be heard
16 immediately preceding or following such a judicial
17 proceeding and may be heard by the same trier of fact or
18 law as in that judicial proceeding.

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

23 (4) Psychotropic medication and electroconvulsive
24 therapy may ~~Authorized involuntary treatment shall not~~ be
25 administered to the recipient if and only if ~~unless~~ it has
26 been determined by clear and convincing evidence that all

1 of the following factors are present. In determining
2 whether a person meets the criteria specified in the
3 following paragraphs (A) through (G), the court may
4 consider evidence of the person's history of serious
5 violence, repeated past pattern of specific behavior,
6 actions related to the person's illness, or past outcomes
7 of various treatment options.

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

10 (B) That because of said mental illness or
11 developmental disability, the recipient currently
12 exhibits any one of the following: (i) deterioration of
13 his or her ability to function, as compared to the
14 recipient's ability to function prior to the current
15 onset of symptoms of the mental illness or disability
16 for which treatment is presently sought, (ii)
17 suffering, or (iii) threatening behavior.

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

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

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

26 (F) That other less restrictive services have been

1 explored and found inappropriate.

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

6 (5) In no event shall an order issued under this
7 Section be effective for more than 90 days. A second 90-day
8 period of involuntary treatment may be authorized pursuant
9 to a hearing that complies with the standards and
10 procedures of this subsection (a-5). Thereafter,
11 additional 180-day periods of involuntary treatment may be
12 authorized pursuant to the standards and procedures of this
13 Section without limit. If a new petition to authorize the
14 administration of psychotropic medication or
15 electroconvulsive therapy ~~authorized involuntary treatment~~
16 is filed at least 15 days prior to the expiration of the
17 prior order, and if any continuance of the hearing is
18 agreed to by the recipient, the administration of the
19 treatment may continue in accordance with the prior order
20 pending the completion of a hearing under this Section.

21 (6) An order issued under this subsection (a-5) shall
22 designate the persons authorized to administer the
23 ~~authorized involuntary~~ treatment under the standards and
24 procedures of this subsection (a-5). Those persons shall
25 have complete discretion not to administer any treatment
26 authorized under this Section. The order shall also specify

1 the medications and the anticipated range of dosages that
2 have been authorized and may include a list of any
3 alternative medications and range of dosages deemed
4 necessary.

5 (a-10) The court may, in its discretion, appoint a guardian
6 ad litem for a recipient before the court or authorize an
7 existing guardian of the person to monitor treatment and
8 compliance with court orders under this Section.

9 (b) A guardian may be authorized to consent to the
10 administration of psychotropic medication or electroconvulsive
11 therapy ~~authorized involuntary treatment~~ to an objecting
12 recipient only under the standards and procedures of subsection
13 (a-5).

14 (c) Notwithstanding any other provision of this Section, a
15 guardian may consent to the administration of psychotropic
16 medication or electroconvulsive therapy ~~authorized involuntary~~
17 ~~treatment~~ to a non-objecting recipient under Article XIa of the
18 Probate Act of 1975.

19 (d) Nothing in this Section shall prevent the
20 administration of psychotropic medication or electroconvulsive
21 therapy ~~authorized involuntary treatment~~ to recipients in an
22 emergency under Section 2-107 of this Act.

23 (e) Notwithstanding any of the provisions of this Section,
24 psychotropic medication or electroconvulsive therapy
25 ~~authorized involuntary treatment~~ may be administered pursuant
26 to a power of attorney for health care under the Powers of

1 Attorney for Health Care Law or a declaration for mental health
2 treatment under the Mental Health Treatment Preference
3 Declaration Act.

4 (f) The Department shall conduct annual trainings for
5 physicians and registered nurses working in State-operated
6 mental health facilities on the appropriate use of psychotropic
7 medication and electroconvulsive therapy ~~authorized~~
8 ~~involuntary treatment~~, standards for their ~~its~~ use, and the
9 preparation of court petitions under this Section.

10 (Source: P.A. 93-573, eff. 8-21-03; 94-1066, eff. 8-1-06.)

11 (405 ILCS 5/2-107.2) (from Ch. 91 1/2, par. 2-107.2)

12 Sec. 2-107.2. Review; notice.

13 (a) Whenever any recipient, who is receiving treatment in a
14 residential mental health facility, has been receiving
15 psychotropic medication or electroconvulsive therapy
16 ~~authorized involuntary treatment~~ in that facility continuously
17 or on a regular basis for a period of 3 months, and, if the
18 treatment is continued while the recipient is a resident in
19 that facility, every 6 months thereafter, for so long as the
20 treatment shall continue, the facility director shall convene a
21 treatment review panel to review the treatment.

22 (b) At least 7 days prior to the date of the meeting, the
23 recipient, his or her guardian, if any, and the person
24 designated under subsection (b) of Section 2-200 shall be given
25 written notification of the time and place of the treatment

1 review meeting. The notice shall also advise the recipient of
2 his or her right to designate some person to attend the meeting
3 and assist the recipient.

4 (c) If, during the course of the review, the recipient or
5 guardian, if any, advises the committee that he no longer
6 agrees to continue receiving the treatment, the treatment must
7 be discontinued except that the treatment may be administered
8 under either Section 2-107 or 2-107.1. If the recipient and
9 guardian, if any, continues to agree to the treatment, the
10 treatment shall be continued if the committee determines that
11 the recipient is receiving appropriate treatment and that the
12 benefit to the recipient outweighs any risk of harm to the
13 recipient.

14 (d) The Department shall issue rules to implement the
15 requirements of this Section.

16 (Source: P.A. 89-439, eff. 6-1-96; 90-538, eff. 12-1-97.)

17 (405 ILCS 5/2-107.3)

18 Sec. 2-107.3. Reports. Each facility director of a
19 State-operated mental health facility shall prepare a
20 quarterly report stating the number of persons who were
21 determined to meet the standard for administration of
22 psychotropic medication or electroconvulsive therapy
23 ~~authorized involuntary treatment~~ but for whom it was determined
24 that the filing of such a petition was not warranted as
25 provided for in subsection (h) of Section 2-107 of this Code

1 and the reasons for each such determination. The Department
2 shall prepare and publish an annual report summarizing the
3 information received under this Section. The Department's
4 report shall include the data from each facility filing such a
5 report and shall separately report the data from each such
6 facility, identified by facility.

7 (Source: P.A. 94-1066, eff. 8-1-06.)

8 (405 ILCS 5/2-200) (from Ch. 91 1/2, par. 2-200)

9 Sec. 2-200. (a) Upon commencement of services, or as soon
10 thereafter as the condition of the recipient permits, every
11 adult recipient, as well as the recipient's guardian or
12 substitute decision maker, and every recipient who is 12 years
13 of age or older and the parent or guardian of a minor or person
14 under guardianship shall be informed orally and in writing of
15 the rights guaranteed by this Chapter which are relevant to the
16 nature of the recipient's services program. Every facility
17 shall also post conspicuously in public areas a summary of the
18 rights which are relevant to the services delivered by that
19 facility.

20 (b) A recipient who is 12 years of age or older and the
21 parent or guardian of a minor or person under guardianship at
22 any time may designate, and upon commencement of services shall
23 be informed of the right to designate, a person or agency to
24 receive notice under Section 2-201 or to direct that no
25 information about the recipient be disclosed to any person or

1 agency.

2 (c) Upon commencement of services, or as soon thereafter as
3 the condition of the recipient permits, the facility shall ask
4 the adult recipient or minor recipient admitted pursuant to
5 Section 3-502 whether the recipient wants the facility to
6 contact the recipient's spouse, parents, guardian, close
7 relatives, friends, attorney, advocate from the Guardianship
8 and Advocacy Commission or the agency designated by the
9 Governor under Section 1 of "An Act in relation to the
10 protection and advocacy of the rights of persons with
11 developmental disabilities, and amending Acts therein named",
12 approved September 20, 1985, or others and inform them of the
13 recipient's presence at the facility. The facility shall by
14 phone or by mail contact at least two of those people
15 designated by the recipient and shall inform them of the
16 recipient's location. If the recipient so requests, the
17 facility shall also inform them of how to contact the
18 recipient.

19 (d) Upon commencement of services, or as soon thereafter as
20 the condition of the recipient permits, the facility shall
21 advise the recipient as to the circumstances under which the
22 law permits the use of emergency forced medication or
23 electroconvulsive therapy under subsection (a) of Section
24 2-107, restraint under Section 2-108, or seclusion under
25 Section 2-109. At the same time, the facility shall inquire of
26 the recipient which form of intervention the recipient would

1 prefer if any of these circumstances should arise. The
2 recipient's preference shall be noted in the recipient's record
3 and communicated by the facility to the recipient's guardian or
4 substitute decision maker, if any, and any other individual
5 designated by the recipient. If any such circumstances
6 subsequently do arise, the facility shall give due
7 consideration to the preferences of the recipient regarding
8 which form of intervention to use as communicated to the
9 facility by the recipient or as stated in the recipient's
10 advance directive.

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

12 (405 ILCS 5/3-802) (from Ch. 91 1/2, par. 3-802)

13 Sec. 3-802. The respondent is entitled to a jury on the
14 question of whether he is subject to involuntary admission. The
15 jury shall consist of 6 persons to be chosen in the same manner
16 as are jurors in other civil proceedings. A respondent is not
17 entitled to a jury on the question of whether psychotropic
18 medication or electroconvulsive therapy ~~authorized involuntary~~
19 ~~treatment~~ may be administered under Section 2-107.1.

20 (Source: P.A. 93-573, eff. 8-21-03.)

21 (405 ILCS 5/1-121.5 rep.)

22 Section 10. The Mental Health and Developmental
23 Disabilities Code is amended by repealing Section 1-121.5.

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

3 (705 ILCS 105/27.1a) (from Ch. 25, par. 27.1a)

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

12 (a) Civil Cases.

13 The fee for filing a complaint, petition, or other
14 pleading initiating a civil action, with the following
15 exceptions, shall be a minimum of \$40 and a maximum of
16 \$160.

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

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

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

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

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

7 (a-1) Family.

8 For filing a petition under the Juvenile Court Act of
9 1987, \$25.

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

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

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

14 (b) Forcible Entry and Detainer.

15 In each forcible entry and detainer case when the
16 plaintiff seeks possession only or unites with his or her
17 claim for possession of the property a claim for rent or
18 damages or both in the amount of \$15,000 or less, a minimum
19 of \$10 and a maximum of \$50. When the plaintiff unites his
20 or her claim for possession with a claim for rent or
21 damages or both exceeding \$15,000, a minimum of \$40 and a
22 maximum of \$160.

23 (c) Counterclaim or Joining Third Party Defendant.

24 When any defendant files a counterclaim as part of his
25 or her answer or otherwise or joins another party as a
26 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

1 \$1,000, a minimum of \$5 and a maximum of \$15; when the
2 amount exceeds \$1,000 but does not exceed \$5,000, a minimum
3 of \$5 and a maximum of \$30; and when the amount exceeds
4 \$5,000, a minimum of \$5 and a maximum of \$50.

5 (g) Petition to Vacate or Modify.

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

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

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

22 (h) Mailing.

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

26 (i) Certified Copies.

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

4 (j) Habeas Corpus.

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

7 (k) Certification, Authentication, and Reproduction.

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

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

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

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

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

23 (A) First page, a minimum of \$1 and a maximum of
24 \$2.

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

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

1 (l) Remands.

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

12 (m) Record Search.

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

16 (n) Hard Copy.

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

21 (o) Index Inquiry and Other Records.

22 No fee shall be charged for a single
23 plaintiff/defendant index inquiry or single case record
24 inquiry when this request is made in person and the records
25 are maintained in a current automated medium, and when no
26 hard copy print output is requested. The fees to be charged

1 for management records, multiple case records, and
2 multiple journal records may be specified by the Chief
3 Judge pursuant to the guidelines for access and
4 dissemination of information approved by the Supreme
5 Court.

6 (p) (Blank).

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

8 (q) Alias Summons.

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

11 (r) Other Fees.

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

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

26 (s) Jury Services.

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

12 (t) Voluntary Assignment.

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

25 (u) Expungement Petition.

26 The clerk shall be entitled to receive a fee of a

1 minimum of \$15 and a maximum of \$60 for each expungement
2 petition filed and an additional fee of a minimum of \$2 and
3 a maximum of \$4 for each certified copy of an order to
4 expunge arrest records.

5 (v) Probate.

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

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

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

17 (B) When (i) proof of heirship alone is made, (ii)
18 a domestic or foreign will is admitted to probate
19 without administration (including proof of heirship),
20 or (iii) letters of office are issued for a particular
21 purpose without administration of the estate, the fee
22 shall be a minimum of \$10 and a maximum of \$40.

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

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

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

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

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

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

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

19 (B) For filing a claim in an estate when the amount
20 claimed is \$150 or more but less than \$500, a minimum
21 of \$10 and a maximum of \$25; when the amount claimed is
22 \$500 or more but less than \$10,000, a minimum of \$10
23 and a maximum of \$40; when the amount claimed is
24 \$10,000 or more, a minimum of \$10 and a maximum of \$60;
25 provided that the court in allowing a claim may add to
26 the amount allowed the filing fee paid by the claimant.

1 (C) For filing in an estate a claim, petition, or
2 supplemental proceeding based upon an action seeking
3 equitable relief including the construction or contest
4 of a will, enforcement of a contract to make a will,
5 and proceedings involving testamentary trusts or the
6 appointment of testamentary trustees, a minimum of \$40
7 and a maximum of \$60.

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

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

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

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

1 maximum of \$20.

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

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

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

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

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

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

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

26 (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.

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

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

13 (x) Transcripts of Judgment.

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

17 (y) Change of Venue.

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

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

25 (z) Tax objection complaints.

26 For each tax objection complaint containing one or more

1 tax objections, regardless of the number of parcels
2 involved or the number of taxpayers joining on the
3 complaint, a minimum of \$10 and a maximum of \$50.

4 (aa) Tax Deeds.

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

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

9 (bb) Collections.

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

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

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

20 (4) In child support and maintenance cases, the clerk,
21 if authorized by an ordinance of the county board, may
22 collect an annual fee of up to \$36 from the person making
23 payment for maintaining child support records and the
24 processing of support orders to the State of Illinois KIDS
25 system and the recording of payments issued by the State
26 Disbursement Unit for the official record of the Court.

1 This fee shall be in addition to and separate from amounts
2 ordered to be paid as maintenance or child support and
3 shall be deposited into a Separate Maintenance and Child
4 Support Collection Fund, of which the clerk shall be the
5 custodian, ex-officio, to be used by the clerk to maintain
6 child support orders and record all payments issued by the
7 State Disbursement Unit for the official record of the
8 Court. The clerk may recover from the person making the
9 maintenance or child support payment any additional cost
10 incurred in the collection of this annual fee.

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

16 (cc) Corrections of Numbers.

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

22 (dd) Exceptions.

23 (1) The fee requirements of this Section shall not
24 apply to police departments or other law enforcement
25 agencies. In this Section, "law enforcement agency" means
26 an agency of the State or a unit of local government which

1 is vested by law or ordinance with the duty to maintain
 2 public order and to enforce criminal laws or ordinances.
 3 "Law enforcement agency" also means the Attorney General or
 4 any state's attorney.

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

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

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

21 (ee) Adoptions.

22 (1) For an adoption \$65

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

1 Services.

2 (ff) Adoption exemptions.

3 No fee other than that set forth in subsection (ee)
4 shall be charged to any person in connection with an
5 adoption proceeding nor may any fee be charged for
6 proceedings for the appointment of a confidential
7 intermediary under the Adoption Act.

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

11 (705 ILCS 105/27.2) (from Ch. 25, par. 27.2)

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

25 (a) Civil Cases.

1 The fee for filing a complaint, petition, or other
2 pleading initiating a civil action, with the following
3 exceptions, shall be a minimum of \$150 and a maximum of
4 \$190.

5 (A) When the amount of money or damages or the
6 value of personal property claimed does not exceed
7 \$250, a minimum of \$10 and a maximum of \$15.

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

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

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

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

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

21 (F) No fees shall be charged by the clerk to a
22 petitioner in any order of protection including, but
23 not limited to, filing, modifying, withdrawing,
24 certifying, or photocopying petitions for orders of
25 protection, or for issuing alias summons, or for any
26 related filing service, certifying, modifying,

1 vacating, or photocopying any orders of protection.

2 (b) Forcible Entry and Detainer.

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

11 (c) Counterclaim or Joining Third Party Defendant.

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

21 (d) Confession of Judgment.

22 In a confession of judgment when the amount does not
23 exceed \$1500, a minimum of \$50 and a maximum of \$60. When
24 the amount exceeds \$1500, but does not exceed \$5,000, \$75.
25 When the amount exceeds \$5,000, but does not exceed
26 \$15,000, \$175. When the amount exceeds \$15,000, a minimum

1 of \$200 and a maximum of \$250.

2 (e) Appearance.

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

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

9 (B) When the amount in the case does not exceed
10 \$1500, a minimum of \$20 and a maximum of \$40.

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

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

15 In garnishment affidavit, wage deduction affidavit,
16 and citation petition when the amount does not exceed
17 \$1,000, a minimum of \$10 and a maximum of \$15; when the
18 amount exceeds \$1,000 but does not exceed \$5,000, a minimum
19 of \$20 and a maximum of \$30; and when the amount exceeds
20 \$5,000, a minimum of \$30 and a maximum of \$50.

21 (g) Petition to Vacate or Modify.

22 (1) Petition to vacate or modify any final judgment or
23 order of court, except in forcible entry and detainer cases
24 and small claims cases or a petition to reopen an estate,
25 to modify, terminate, or enforce a judgment or order for
26 child or spousal support, or to modify, suspend, or

1 terminate an order for withholding, if filed before 30 days
2 after the entry of the judgment or order, a minimum of \$40
3 and a maximum of \$50.

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

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

12 (h) Mailing.

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

16 (i) Certified Copies.

17 Each certified copy of a judgment after the first,
18 except in small claims and forcible entry and detainer
19 cases, a minimum of \$10 and a maximum of \$15.

20 (j) Habeas Corpus.

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

23 (k) Certification, Authentication, and Reproduction.

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

1 \$6.

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

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

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

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

13 (A) First page, \$2.

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

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

16 (1) Remands.

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

1 (m) Record Search.

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

5 (n) Hard Copy.

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

10 (o) Index Inquiry and Other Records.

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

21 (p) (Blank).

22 (q) Alias Summons.

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

25 (r) Other Fees.

26 Any fees not covered in this Section shall be set by

1 rule or administrative order of the Circuit Court with the
2 approval of the Administrative Office of the Illinois
3 Courts.

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

14 (s) Jury Services.

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

26 (t) Voluntary Assignment.

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

13 (u) Expungement Petition.

14 The clerk shall be entitled to receive a fee of a
15 minimum of \$30 and a maximum of \$60 for each expungement
16 petition filed and an additional fee of a minimum of \$2 and
17 a maximum of \$4 for each certified copy of an order to
18 expunge arrest records.

19 (v) Probate.

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

24 (1) For administration of the estate of a decedent
25 (whether testate or intestate) or of a missing person, a
26 minimum of \$100 and a maximum of \$150, plus the fees

1 specified in subsection (v) (3), except:

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

5 (B) When (i) proof of heirship alone is made, (ii)
6 a domestic or foreign will is admitted to probate
7 without administration (including proof of heirship),
8 or (iii) letters of office are issued for a particular
9 purpose without administration of the estate, the fee
10 shall be a minimum of \$25 and a maximum of \$40.

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

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

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

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

1 payable:

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

5 (B) For filing a claim in an estate when the amount
6 claimed is \$150 or more but less than \$500, a minimum
7 of \$10 and a maximum of \$20; when the amount claimed is
8 \$500 or more but less than \$10,000, a minimum of \$25
9 and a maximum of \$40; when the amount claimed is
10 \$10,000 or more, a minimum of \$40 and a maximum of \$60;
11 provided that the court in allowing a claim may add to
12 the amount allowed the filing fee paid by the claimant.

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

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

25 (E) Except as provided in subsection (v) (3) (D),
26 for filing the appearance of any person or persons, a

1 minimum of \$10 and a maximum of \$30.

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

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

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

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

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

25 (5) The person on whose behalf a charge is incurred for
26 witness, court reporter, appraiser, or other miscellaneous

1 fee shall pay the same directly to the person entitled
2 thereto.

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

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

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

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

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

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

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

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

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

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

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

26 (I) Motions to vacate ex parte judgments, whenever

1 filed, a minimum of \$20 and a maximum of \$30.

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

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

7 (2) In counties having a population of more than
8 500,000 but fewer than 3,000,000 inhabitants, when the
9 violation complaint is issued by a municipal police
10 department, the clerk shall be entitled to costs from each
11 person convicted therein as follows:

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

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

14 (3) In ordinance violation cases punishable by fine
15 only, the clerk of the circuit court shall be entitled to
16 receive, unless the fee is excused upon a finding by the
17 court that the defendant is indigent, in addition to other
18 fees or costs allowed or imposed by law, the sum of a
19 minimum of \$50 and a maximum of \$112.50 as a fee for the
20 services of a jury. The jury fee shall be paid by the
21 defendant at the time of filing his or her jury demand. If
22 the fee is not so paid by the defendant, no jury shall be
23 called, and the case shall be tried by the court without a
24 jury.

25 (x) Transcripts of Judgment.

26 For the filing of a transcript of judgment, the clerk

1 shall be entitled to the same fee as if it were the
2 commencement of new suit.

3 (y) Change of Venue.

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

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

11 (z) Tax objection complaints.

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

16 (aa) Tax Deeds.

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

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

21 (bb) Collections.

22 (1) For all collections made of others, except the
23 State and county and except in maintenance or child support
24 cases, a sum equal to a minimum of 2.5% and a maximum of
25 3.0% of the amount collected and turned over.

26 (2) Interest earned on any funds held by the clerk

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

1 Maintenance and Child Support Collection Fund.

2 (cc) Corrections of Numbers.

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

8 (dd) Exceptions.

9 The fee requirements of this Section shall not apply to
10 police departments or other law enforcement agencies. In
11 this Section, "law enforcement agency" means an agency of
12 the State or a unit of local government which is vested by
13 law or ordinance with the duty to maintain public order and
14 to enforce criminal laws or ordinances. "Law enforcement
15 agency" also means the Attorney General or any state's
16 attorney. The fee requirements of this Section shall not
17 apply to any action instituted under subsection (b) of
18 Section 11-31-1 of the Illinois Municipal Code by a private
19 owner or tenant of real property within 1200 feet of a
20 dangerous or unsafe building seeking an order compelling
21 the owner or owners of the building to take any of the
22 actions authorized under that subsection.

23 The fee requirements of this Section shall not apply to
24 the filing of any commitment petition or petition for an
25 order authorizing the administration of psychotropic
26 medication or electroconvulsive therapy ~~authorized~~

1 ~~involuntary treatment in the form of medication~~ under the
2 Mental Health and Developmental Disabilities Code.

3 (ee) Adoptions.

4 (1) For an adoption \$65

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

10 (ff) Adoption exemptions.

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

16 (gg) Unpaid fees.

17 Unless a court ordered payment schedule is implemented
18 or the fee requirements of this Section are waived pursuant
19 to court order, the clerk of the court may add to any
20 unpaid fees and costs under this Section a delinquency
21 amount equal to 5% of the unpaid fees that remain unpaid
22 after 30 days, 10% of the unpaid fees that remain unpaid
23 after 60 days, and 15% of the unpaid fees that remain
24 unpaid after 90 days. Notice to those parties may be made
25 by signage posting or publication. The additional
26 delinquency amounts collected under this Section shall be

1 used to defray additional administrative costs incurred by
2 the clerk of the circuit court in collecting unpaid fees
3 and costs.

4 (Source: P.A. 92-16, eff. 6-28-01; 92-521, eff. 6-1-02; 93-385,
5 eff. 7-25-03; 93-573, eff. 8-21-03; 93-760, eff. 1-1-05.)

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

7 Sec. 27.2a. The fees of the clerks of the circuit court in
8 all counties having a population of 3,000,000 or more
9 inhabitants in the instances described in this Section shall be
10 as provided in this Section. In those instances where a minimum
11 and maximum fee is stated, the clerk of the circuit court must
12 charge the minimum fee listed and may charge up to the maximum
13 fee if the county board has by resolution increased the fee.
14 The fees shall be paid in advance and shall be as follows:

15 (a) Civil Cases.

16 The fee for filing a complaint, petition, or other
17 pleading initiating a civil action, with the following
18 exceptions, shall be a minimum of \$190 and a maximum of
19 \$240.

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

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

25 (C) When that amount exceeds \$1000 but does not

1 exceed \$2500, a minimum of \$50 and a maximum of \$80.

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

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

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

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

17 (H) No fees shall be charged by the clerk to a
18 petitioner in any order of protection including, but
19 not limited to, filing, modifying, withdrawing,
20 certifying, or photocopying petitions for orders of
21 protection, or for issuing alias summons, or for any
22 related filing service, certifying, modifying,
23 vacating, or photocopying any orders of protection.

24 (b) Forcible Entry and Detainer.

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

1 claim for possession of the property a claim for rent or
2 damages or both in the amount of \$15,000 or less, a minimum
3 of \$75 and a maximum of \$140. When the plaintiff unites his
4 or her claim for possession with a claim for rent or
5 damages or both exceeding \$15,000, a minimum of \$225 and a
6 maximum of \$335.

7 (c) Counterclaim or Joining Third Party Defendant.

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

17 (d) Confession of Judgment.

18 In a confession of judgment when the amount does not
19 exceed \$1500, a minimum of \$60 and a maximum of \$70. When
20 the amount exceeds \$1500, but does not exceed \$5000, a
21 minimum of \$75 and a maximum of \$150. When the amount
22 exceeds \$5000, but does not exceed \$15,000, a minimum of
23 \$175 and a maximum of \$260. When the amount exceeds
24 \$15,000, a minimum of \$250 and a maximum of \$310.

25 (e) Appearance.

26 The fee for filing an appearance in each civil case

1 shall be a minimum of \$75 and a maximum of \$110, except as
2 follows:

3 (A) When the plaintiff in a forcible entry and
4 detainer case seeks possession only, a minimum of \$40
5 and a maximum of \$80.

6 (B) When the amount in the case does not exceed
7 \$1500, a minimum of \$40 and a maximum of \$80.

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

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

11 In garnishment affidavit, wage deduction affidavit,
12 and citation petition when the amount does not exceed
13 \$1,000, a minimum of \$15 and a maximum of \$25; when the
14 amount exceeds \$1,000 but does not exceed \$5,000, a minimum
15 of \$30 and a maximum of \$45; and when the amount exceeds
16 \$5,000, a minimum of \$50 and a maximum of \$80.

17 (g) Petition to Vacate or Modify.

18 (1) Petition to vacate or modify any final judgment or
19 order of court, except in forcible entry and detainer cases
20 and small claims cases or a petition to reopen an estate,
21 to modify, terminate, or enforce a judgment or order for
22 child or spousal support, or to modify, suspend, or
23 terminate an order for withholding, if filed before 30 days
24 after the entry of the judgment or order, a minimum of \$50
25 and a maximum of \$60.

26 (2) Petition to vacate or modify any final judgment or

1 order of court, except a petition to modify, terminate, or
2 enforce a judgment or order for child or spousal support or
3 to modify, suspend, or terminate an order for withholding,
4 if filed later than 30 days after the entry of the judgment
5 or order, a minimum of \$75 and a maximum of \$90.

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

8 (h) Mailing.

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

12 (i) Certified Copies.

13 Each certified copy of a judgment after the first,
14 except in small claims and forcible entry and detainer
15 cases, a minimum of \$15 and a maximum of \$20.

16 (j) Habeas Corpus.

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

19 (k) Certification, Authentication, and Reproduction.

20 (1) Each certification or authentication for taking
21 the acknowledgment of a deed or other instrument in writing
22 with the seal of office, a minimum of \$6 and a maximum of
23 \$9.

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

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

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

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

9 (A) First page, \$2.

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

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

12 (l) Remands.

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

23 (m) Record Search.

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

1 (n) Hard Copy.

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

6 (o) Index Inquiry and Other Records.

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

17 (p) (Blank).

18 (q) Alias Summons.

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

21 (r) Other Fees.

22 Any fees not covered in this Section shall be set by
23 rule or administrative order of the Circuit Court with the
24 approval of the Administrative Office of the Illinois
25 Courts.

26 The clerk of the circuit court may provide additional

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

10 (s) Jury Services.

11 The clerk shall be entitled to receive, in addition to
12 other fees allowed by law, the sum of a minimum of \$212.50
13 and maximum of \$230, as a fee for the services of a jury in
14 every civil action not quasi-criminal in its nature and not
15 a proceeding for the exercise of the right of eminent
16 domain and in every other action wherein the right of trial
17 by jury is or may be given by law. The jury fee shall be
18 paid by the party demanding a jury at the time of filing
19 the jury demand. If the fee is not paid by either party, no
20 jury shall be called in the action or proceeding, and the
21 same shall be tried by the court without a jury.

22 (t) Voluntary Assignment.

23 For filing each deed of voluntary assignment, a minimum
24 of \$20 and a maximum of \$40; for recording the same, a
25 minimum of 50¢ and a maximum of \$0.80 for each 100 words.
26 Exceptions filed to claims presented to an assignee of a

1 debtor who has made a voluntary assignment for the benefit
2 of creditors shall be considered and treated, for the
3 purpose of taxing costs therein, as actions in which the
4 party or parties filing the exceptions shall be considered
5 as party or parties plaintiff, and the claimant or
6 claimants as party or parties defendant, and those parties
7 respectively shall pay to the clerk the same fees as
8 provided by this Section to be paid in other actions.

9 (u) Expungement Petition.

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

15 (v) Probate.

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

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

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

1 (B) When (i) proof of heirship alone is made, (ii)
2 a domestic or foreign will is admitted to probate
3 without administration (including proof of heirship),
4 or (iii) letters of office are issued for a particular
5 purpose without administration of the estate, the fee
6 shall be a minimum of \$40 and a maximum of \$65.

7 (2) For administration of the estate of a ward, a
8 minimum of \$75 and a maximum of \$110, 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) letters of office are issued to a
14 guardian of the person or persons, but not of the
15 estate or (ii) letters of office are issued in the
16 estate of a ward without administration of the estate,
17 including filing or joining in the filing of a tax
18 return or releasing a mortgage or consenting to the
19 marriage of the ward, the fee shall be a minimum of \$20
20 and a maximum of \$40.

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

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

1 (B) For filing a claim in an estate when the amount
2 claimed is \$150 or more but less than \$500, a minimum
3 of \$20 and a maximum of \$40; when the amount claimed is
4 \$500 or more but less than \$10,000, a minimum of \$40
5 and a maximum of \$65; when the amount claimed is
6 \$10,000 or more, a minimum of \$60 and a maximum of \$90;
7 provided that the court in allowing a claim may add to
8 the amount allowed the filing fee paid by the claimant.

9 (C) For filing in an estate a claim, petition, or
10 supplemental proceeding based upon an action seeking
11 equitable relief including the construction or contest
12 of a will, enforcement of a contract to make a will,
13 and proceedings involving testamentary trusts or the
14 appointment of testamentary trustees, a minimum of \$60
15 and a maximum of \$90.

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

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

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

26 (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
4 minimum of \$50 and a maximum of \$80, less any amount
5 paid under subsection (v) (1) (B) or (v) (2) (B) except
6 that if the amount involved does not exceed \$5,000, the
7 fee, including any amount paid under subsection
8 (v) (1) (B) or (v) (2) (B), shall be a minimum of \$20 and a
9 maximum of \$40.

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

14 (I) For each exemplification, \$2, plus the fee for
15 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 \$125 and a
8 maximum of \$190.

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

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

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

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

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

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

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

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

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

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

1 State, a minimum of \$40 and a maximum of \$50.

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

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

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

8 (3) In ordinance violation cases punishable by fine
9 only, the clerk of the circuit court shall be entitled to
10 receive, unless the fee is excused upon a finding by the
11 court that the defendant is indigent, in addition to other
12 fees or costs allowed or imposed by law, the sum of a
13 minimum of \$112.50 and a maximum of \$250 as a fee for the
14 services of a jury. The jury fee shall be paid by the
15 defendant at the time of filing his or her jury demand. If
16 the fee is not so paid by the defendant, no jury shall be
17 called, and the case shall be tried by the court without a
18 jury.

19 (x) Transcripts of Judgment.

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

23 (y) Change of Venue.

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

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

5 (z) Tax objection complaints.

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

10 (aa) Tax Deeds.

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

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

15 (bb) Collections.

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

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

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

26 (4) In child support and maintenance cases, the clerk,

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

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

22 (cc) Corrections of Numbers.

23 For correction of the case number, case title, or
24 attorney computer identification number, if required by
25 rule of court, on any document filed in the clerk's office,
26 to be charged against the party that filed the document, a

1 minimum of \$25 and a maximum of \$40.

2 (dd) Exceptions.

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

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

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

1 (ee) Adoption.

2 (1) For an adoption \$65

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

8 (ff) Adoption exemptions.

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

14 (gg) Unpaid fees.

15 Unless a court ordered payment schedule is implemented
16 or the fee requirements of this Section are waived pursuant
17 to court order, the clerk of the court may add to any
18 unpaid fees and costs under this Section a delinquency
19 amount equal to 5% of the unpaid fees that remain unpaid
20 after 30 days, 10% of the unpaid fees that remain unpaid
21 after 60 days, and 15% of the unpaid fees that remain
22 unpaid after 90 days. Notice to those parties may be made
23 by signage posting or publication. The additional
24 delinquency amounts collected under this Section shall be
25 used to defray additional administrative costs incurred by
26 the clerk of the circuit court in collecting unpaid fees

1 and costs.

2 (Source: P.A. 92-521, eff. 6-1-02; 93-385, eff. 7-25-03;
3 93-573, eff. 8-21-03; 93-760, eff. 1-1-05.)

4 Section 20. The Health Care Surrogate Act is amended by
5 changing Section 60 as follows:

6 (755 ILCS 40/60)

7 Sec. 60. Health care surrogate; specific mental health
8 services.

9 (a) In this Section, "specific mental health services"
10 means the administration of psychotropic medication or
11 electroconvulsive therapy under Section 2-107 or 2-107.1
12 ~~authorized involuntary treatment as defined in Section 1-121.5~~
13 of the Mental Health and Developmental Disabilities Code or
14 admission to a mental health facility as defined in Section
15 1-114 of that Code.

16 (b) A surrogate decision maker, other than a court
17 appointed guardian, may not consent to specific mental health
18 services for an adult patient. A surrogate decision maker may,
19 however, petition for the provision of specific mental health
20 services pursuant to the Mental Health and Developmental
21 Disabilities Code.

22 (c) This Section does not grant a court-appointed guardian
23 any additional authority to consent to specific mental health
24 services than is permitted by the Mental Health and

1 Developmental Disabilities Code.

2 (Source: P.A. 91-658, eff. 1-1-00.)

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