



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB6957

by Rep. Timothy L. Schmitz

SYNOPSIS AS INTRODUCED:

| | |
|--------------------|-------------------------|
| 705 ILCS 105/27.1a | from Ch. 25, par. 27.1a |
| 705 ILCS 105/27.2 | from Ch. 25, par. 27.2 |
| 705 ILCS 105/27.2a | from Ch. 25, par. 27.2a |

Amends the Clerks of Courts Act. Provides that the clerk of the circuit clerk, if authorized by an ordinance of the county board, may collect a fee of up to \$10 for court interpreter services, in addition to other fees or costs allowed or imposed by law, in all criminal and quasi-criminal cases from each person convicted or sentenced to supervision in a case arising from a felony, misdemeanor, business offense, or petty offense complaint or arising from a minor traffic or ordinance violation. Provides that the fee shall be deposited into a separate Court Interpreter Services Fund, of which the chief judge shall be the custodian, to be used to maintain court interpreter services. If this fee is collected, 10% shall be deposited into the Circuit Court Clerk Operation and Administrative Fund. Effective June 1, 2011.

LRB096 24520 AJO 44329 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning courts.

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

4 Section 5. The Clerks of Courts Act is amended by changing
5 Sections 27.1a, 27.2, and 27.2a as follows:

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

7 Sec. 27.1a. The fees of the clerks of the circuit court in
8 all counties having a population of not more than 500,000
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 \$40 and a maximum of
19 \$160.

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

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

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

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

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

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

12 (a-1) Family.

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

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

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

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

19 (b) Forcible Entry and Detainer.

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

1 maximum of \$160.

2 (c) Counterclaim or Joining Third Party Defendant.

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

12 (d) Confession of Judgment.

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

18 (e) Appearance.

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

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

25 (B) When the amount in the case does not exceed
26 \$1500, a minimum of \$10 and a maximum of \$30.

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

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

4 In garnishment affidavit, wage deduction affidavit,
5 and citation petition when the amount does not exceed
6 \$1,000, a minimum of \$5 and a maximum of \$15; when the
7 amount exceeds \$1,000 but does not exceed \$5,000, a minimum
8 of \$5 and a maximum of \$30; and when the amount exceeds
9 \$5,000, a minimum of \$5 and a maximum of \$50.

10 (g) Petition to Vacate or Modify.

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

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

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

1 (h) Mailing.

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

5 (i) Certified Copies.

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

9 (j) Habeas Corpus.

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

12 (k) Certification, Authentication, and Reproduction.

13 (1) Each certification or authentication for taking
14 the acknowledgment of a deed or other instrument in writing
15 with the seal of office, a minimum of \$2 and a maximum of
16 \$6.

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

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

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

26 (5) For reproduction of any document contained in the

1 clerk's files:

2 (A) First page, a minimum of \$1 and a maximum of
3 \$2.

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

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

6 (l) Remands.

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

17 (m) Record Search.

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

21 (n) Hard Copy.

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

26 (o) Index Inquiry and Other Records.

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

11 (p) (Blank).

12 (q) Alias Summons.

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

15 (r) Other Fees.

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

20 The clerk of the circuit court may provide additional
21 services for which there is no fee specified by statute in
22 connection with the operation of the clerk's office as may
23 be requested by the public and agreed to by the clerk and
24 approved by the chief judge of the circuit court. Any
25 charges for additional services shall be as agreed to
26 between the clerk and the party making the request and

1 approved by the chief judge of the circuit court. Nothing
2 in this subsection shall be construed to require any clerk
3 to provide any service not otherwise required by law.

4 (s) Jury Services.

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

16 (t) Voluntary Assignment.

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

1 parties respectively shall pay to the clerk the same fees
2 as provided by this Section to be paid in other actions.

3 (u) Expungement Petition.

4 The clerk shall be entitled to receive a fee of a
5 minimum of \$15 and a maximum of \$60 for each expungement
6 petition filed and an additional fee of a minimum of \$2 and
7 a maximum of \$4 for each certified copy of an order to
8 expunge arrest records.

9 (v) Probate.

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

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

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

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

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

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

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

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

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

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

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

23 (B) For filing a claim in an estate when the amount
24 claimed is \$150 or more but less than \$500, a minimum
25 of \$10 and a maximum of \$25; when the amount claimed is
26 \$500 or more but less than \$10,000, a minimum of \$10

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

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

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

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

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

22 (G) For disposition of the collection of a judgment
23 or settlement of an action or claim for wrongful death
24 of a decedent or of any cause of action of a ward, when
25 there is no other administration of the estate, a
26 minimum of \$30 and a maximum of \$50, less any amount

1 paid under subsection (v) (1) (B) or (v) (2) (B) except
2 that if the amount involved does not exceed \$5,000, the
3 fee, including any amount paid under subsection
4 (v) (1) (B) or (v) (2) (B), shall be a minimum of \$10 and a
5 maximum of \$20.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 (2) In counties having a population of not more than
26 500,000 inhabitants, when the violation complaint is

1 issued by a municipal police department, the clerk shall be
2 entitled to costs from each person convicted therein as
3 follows:

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

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

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

17 (4) The clerk of the circuit clerk, if authorized by an
18 ordinance of the county board, may collect a fee of up to
19 \$10 for court interpreter services, in addition to other
20 fees or costs allowed or imposed by law, in all criminal
21 and quasi-criminal cases from each person convicted or
22 sentenced to supervision in a case arising from a felony,
23 misdemeanor, business offense, or petty offense complaint
24 or arising from a minor traffic or ordinance violation.
25 This fee shall be deposited into a separate Court
26 Interpreter Services Fund, of which the chief judge or his

1 or her designee shall be the custodian, to be used to
2 maintain court interpreter services. If this fee for court
3 interpreter services is collected, 10% shall be deposited
4 into the Circuit Court Clerk Operation and Administrative
5 Fund created by the clerk of the circuit court.

6 (x) Transcripts of Judgment.

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

10 (y) Change of Venue.

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

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

18 (z) Tax objection complaints.

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

23 (aa) Tax Deeds.

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

26 (2) For each additional parcel, add a fee of a minimum

1 of \$10 and a maximum of \$60.

2 (bb) Collections.

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

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

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

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

1 Court. The clerk may recover from the person making the
2 maintenance or child support payment any additional cost
3 incurred in the collection of this annual fee.

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

9 (cc) Corrections of Numbers.

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

15 (dd) Exceptions.

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

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

26 (3) The fee requirements of this Section shall not

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

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

12 (ee) Adoptions.

13 (1) For an adoption \$65

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

19 (ff) Adoption exemptions.

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

25 (Source: P.A. 95-172, eff. 8-14-07; 95-331, eff. 8-21-07.)

1 (705 ILCS 105/27.2) (from Ch. 25, par. 27.2)

2 Sec. 27.2. The fees of the clerks of the circuit court in
3 all counties having a population in excess of 500,000
4 inhabitants but less than 3,000,000 inhabitants in the
5 instances described in this Section shall be as provided in
6 this Section. In those instances where a minimum and maximum
7 fee is stated, counties with more than 500,000 inhabitants but
8 less than 3,000,000 inhabitants must charge the minimum fee
9 listed in this Section and may charge up to the maximum fee if
10 the county board has by resolution increased the fee. In
11 addition, the minimum fees authorized in this Section shall
12 apply to all units of local government and school districts in
13 counties with more than 3,000,000 inhabitants. The fees shall
14 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 \$150 and a maximum of
19 \$190.

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 \$10 and a maximum of \$15.

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

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

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

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

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

10 (F) No fees shall be charged by the clerk to a
11 petitioner in any order of protection including, but
12 not limited to, filing, modifying, withdrawing,
13 certifying, or photocopying petitions for orders of
14 protection, or for issuing alias summons, or for any
15 related filing service, certifying, modifying,
16 vacating, or photocopying any orders of protection.

17 (b) Forcible Entry and Detainer.

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

26 (c) Counterclaim or Joining Third Party Defendant.

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

10 (d) Confession of Judgment.

11 In a confession of judgment when the amount does not
12 exceed \$1500, a minimum of \$50 and a maximum of \$60. When
13 the amount exceeds \$1500, but does not exceed \$5,000, \$75.
14 When the amount exceeds \$5,000, but does not exceed
15 \$15,000, \$175. When the amount exceeds \$15,000, a minimum
16 of \$200 and a maximum of \$250.

17 (e) Appearance.

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

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

24 (B) When the amount in the case does not exceed
25 \$1500, a minimum of \$20 and a maximum of \$40.

26 (C) When the amount in the case exceeds \$1500 but

1 does not exceed \$15,000, a minimum of \$40 and a maximum
2 of \$60.

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

4 In garnishment affidavit, wage deduction affidavit,
5 and citation petition when the amount does not exceed
6 \$1,000, a minimum of \$10 and a maximum of \$15; when the
7 amount exceeds \$1,000 but does not exceed \$5,000, a minimum
8 of \$20 and a maximum of \$30; and when the amount exceeds
9 \$5,000, a minimum of \$30 and a maximum of \$50.

10 (g) Petition to Vacate or Modify.

11 (1) Petition to vacate or modify any final judgment or
12 order of court, except in forcible entry and detainer cases
13 and small claims cases or a petition to reopen an estate,
14 to modify, terminate, or enforce a judgment or order for
15 child or spousal support, or to modify, suspend, or
16 terminate an order for withholding, if filed before 30 days
17 after the entry of the judgment or order, a minimum of \$40
18 and a maximum of \$50.

19 (2) Petition to vacate or modify any final judgment or
20 order of court, except a petition to modify, terminate, or
21 enforce a judgment or order for child or spousal support or
22 to modify, suspend, or terminate an order for withholding,
23 if filed later than 30 days after the entry of the judgment
24 or order, a minimum of \$60 and a maximum of \$75.

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

1 (h) Mailing.

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

5 (i) Certified Copies.

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

9 (j) Habeas Corpus.

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

12 (k) Certification, Authentication, and Reproduction.

13 (1) Each certification or authentication for taking
14 the acknowledgment of a deed or other instrument in writing
15 with the seal of office, a minimum of \$4 and a maximum of
16 \$6.

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

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

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

26 (5) For reproduction of any document contained in the

1 clerk's files:

2 (A) First page, \$2.

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

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

5 (l) Remands.

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

16 (m) Record Search.

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

20 (n) Hard Copy.

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

25 (o) Index Inquiry and Other Records.

26 No fee shall be charged for a single

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

10 (p) (Blank).

11 (q) Alias Summons.

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

14 (r) Other Fees.

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

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

1 in this subsection shall be construed to require any clerk
2 to provide any service not otherwise required by law.

3 (s) Jury Services.

4 The clerk shall be entitled to receive, in addition to
5 other fees allowed by law, the sum of a minimum of \$192.50
6 and a maximum of \$212.50, as a fee for the services of a
7 jury in every civil action not quasi-criminal in its nature
8 and not a proceeding for the exercise of the right of
9 eminent domain and in every other action wherein the right
10 of trial by jury is or may be given by law. The jury fee
11 shall be paid by the party demanding a jury at the time of
12 filing the jury demand. If the fee is not paid by either
13 party, no jury shall be called in the action or proceeding,
14 and the same shall be tried by the court without a jury.

15 (t) Voluntary Assignment.

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

1 provided by this Section to be paid in other actions.

2 (u) Expungement Petition.

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

8 (v) Probate.

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

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

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

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

26 (2) For administration of the estate of a ward, a

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

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

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

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

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

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

1 the amount allowed the filing fee paid by the claimant.

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

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

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

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

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

1 (v) (1) (B) or (v) (2) (B), shall be a minimum of \$10 and a
2 maximum of \$20.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 (2) In counties having a population of more than
23 500,000 but fewer than 3,000,000 inhabitants, when the
24 violation complaint is issued by a municipal police
25 department, the clerk shall be entitled to costs from each
26 person convicted therein as follows:

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

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

3 (3) In ordinance violation cases punishable by fine
4 only, the clerk of the circuit court shall be entitled to
5 receive, unless the fee is excused upon a finding by the
6 court that the defendant is indigent, in addition to other
7 fees or costs allowed or imposed by law, the sum of a
8 minimum of \$50 and a maximum of \$112.50 as a fee for the
9 services of a jury. The jury fee shall be paid by the
10 defendant at the time of filing his or her jury demand. If
11 the fee is not so paid by the defendant, no jury shall be
12 called, and the case shall be tried by the court without a
13 jury.

14 (4) The clerk of the circuit clerk, if authorized by an
15 ordinance of the county board, may collect a fee of up to
16 \$10 for court interpreter services, in addition to other
17 fees or costs allowed or imposed by law, in all criminal
18 and quasi-criminal cases from each person convicted or
19 sentenced to supervision in a case arising from a felony,
20 misdemeanor, business offense, or petty offense complaint
21 or arising from a minor traffic or ordinance violation.
22 This fee shall be deposited into a separate Court
23 Interpreter Services Fund, of which the chief judge or his
24 or her designee shall be the custodian, to be used to
25 maintain court interpreter services. If this fee for court
26 interpreter services is collected, 10% shall be deposited

1 into the Circuit Court Clerk Operation and Administrative
2 Fund created by the clerk of the circuit court.

3 (x) Transcripts of Judgment.

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

7 (y) Change of Venue.

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

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

15 (z) Tax objection complaints.

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

20 (aa) Tax Deeds.

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

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

25 (bb) Collections.

26 (1) For all collections made of others, except the

1 State and county and except in maintenance or child support
2 cases, a sum equal to a minimum of 2.5% and a maximum of
3 3.0% of the amount collected and turned over.

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

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

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

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

6 (cc) Corrections of Numbers.

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

12 (dd) Exceptions.

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

1 The fee requirements of this Section shall not apply to
 2 the filing of any commitment petition or petition for an
 3 order authorizing the administration of psychotropic
 4 medication or electroconvulsive therapy under the Mental
 5 Health and Developmental Disabilities Code.

6 (ee) Adoptions.

7 (1) For an adoption \$65

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

13 (ff) Adoption exemptions.

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

19 (gg) Unpaid fees.

20 Unless a court ordered payment schedule is implemented
 21 or the fee requirements of this Section are waived pursuant
 22 to court order, the clerk of the court may add to any
 23 unpaid fees and costs under this Section a delinquency
 24 amount equal to 5% of the unpaid fees that remain unpaid
 25 after 30 days, 10% of the unpaid fees that remain unpaid
 26 after 60 days, and 15% of the unpaid fees that remain

1 unpaid after 90 days. Notice to those parties may be made
2 by signage posting or publication. The additional
3 delinquency amounts collected under this Section shall be
4 used to defray additional administrative costs incurred by
5 the clerk of the circuit court in collecting unpaid fees
6 and costs.

7 (Source: P.A. 95-172, eff. 8-14-07.)

8 (705 ILCS 105/27.2a) (from Ch. 25, par. 27.2a)

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

17 (a) Civil Cases.

18 The fee for filing a complaint, petition, or other
19 pleading initiating a civil action, with the following
20 exceptions, shall be a minimum of \$190 and a maximum of
21 \$240.

22 (A) When the amount of money or damages or the
23 value of personal property claimed does not exceed
24 \$250, a minimum of \$15 and a maximum of \$22.

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

1 exceed \$1000, a minimum of \$40 and a maximum of \$75.

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

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

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

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

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

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

26 (b) Forcible Entry and Detainer.

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

9 (c) Counterclaim or Joining Third Party Defendant.

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

19 (d) Confession of Judgment.

20 In a confession of judgment when the amount does not
21 exceed \$1500, a minimum of \$60 and a maximum of \$70. When
22 the amount exceeds \$1500, but does not exceed \$5000, a
23 minimum of \$75 and a maximum of \$150. When the amount
24 exceeds \$5000, but does not exceed \$15,000, a minimum of
25 \$175 and a maximum of \$260. When the amount exceeds
26 \$15,000, a minimum of \$250 and a maximum of \$310.

1 (e) Appearance.

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

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

8 (B) When the amount in the case does not exceed
9 \$1500, a minimum of \$40 and a maximum of \$80.

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

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

13 In garnishment affidavit, wage deduction affidavit,
14 and citation petition when the amount does not exceed
15 \$1,000, a minimum of \$15 and a maximum of \$25; when the
16 amount exceeds \$1,000 but does not exceed \$5,000, a minimum
17 of \$30 and a maximum of \$45; and when the amount exceeds
18 \$5,000, a minimum of \$50 and a maximum of \$80.

19 (g) Petition to Vacate or Modify.

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

1 and a maximum of \$60.

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

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

10 (h) Mailing.

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

14 (i) Certified Copies.

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

18 (j) Habeas Corpus.

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

21 (k) Certification, Authentication, and Reproduction.

22 (1) Each certification or authentication for taking
23 the acknowledgment of a deed or other instrument in writing
24 with the seal of office, a minimum of \$6 and a maximum of
25 \$9.

26 (2) Court appeals when original documents are

1 forwarded, under 100 pages, plus delivery and costs, a
2 minimum of \$75 and a maximum of \$110.

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

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

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

11 (A) First page, \$2.

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

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

14 (l) Remands.

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

25 (m) Record Search.

26 For each record search, within a division or municipal

1 district, the clerk shall be entitled to a search fee of a
2 minimum of \$6 and a maximum of \$9 for each year searched.

3 (n) Hard Copy.

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

8 (o) Index Inquiry and Other Records.

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

19 (p) (Blank).

20 (q) Alias Summons.

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

23 (r) Other Fees.

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

1 Courts.

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

12 (s) Jury Services.

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

24 (t) Voluntary Assignment.

25 For filing each deed of voluntary assignment, a minimum
26 of \$20 and a maximum of \$40; for recording the same, a

1 minimum of 50¢ and a maximum of \$0.80 for each 100 words.
2 Exceptions filed to claims presented to an assignee of a
3 debtor who has made a voluntary assignment for the benefit
4 of creditors shall be considered and treated, for the
5 purpose of taxing costs therein, as actions in which the
6 party or parties filing the exceptions shall be considered
7 as party or parties plaintiff, and the claimant or
8 claimants as party or parties defendant, and those parties
9 respectively shall pay to the clerk the same fees as
10 provided by this Section to be paid in other actions.

11 (u) Expungement Petition.

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

17 (v) Probate.

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

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

26 (A) When the value of the real and personal

1 property does not exceed \$15,000, the fee shall be a
2 minimum of \$40 and a maximum of \$65.

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

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

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

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

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

26 (A) For each account (other than one final account)

1 filed in the estate of a decedent, or ward, a minimum
2 of \$25 and a maximum of \$40.

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

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

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

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

26 (F) For each jury demand, a minimum of \$137.50 and

1 a maximum of \$180.

2 (G) For disposition of the collection of a judgment
3 or settlement of an action or claim for wrongful death
4 of a decedent or of any cause of action of a ward, when
5 there is no other administration of the estate, a
6 minimum of \$50 and a maximum of \$80, less any amount
7 paid under subsection (v) (1) (B) or (v) (2) (B) except
8 that if the amount involved does not exceed \$5,000, the
9 fee, including any amount paid under subsection
10 (v) (1) (B) or (v) (2) (B), shall be a minimum of \$20 and a
11 maximum of \$40.

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

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

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

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

26 (6) The executor, administrator, guardian, petitioner,

1 or other interested person or his or her attorney shall pay
2 to the clerk all postage charges incurred by the clerk in
3 mailing petitions, orders, notices, or other documents
4 pursuant to the provisions of the Probate Act of 1975.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 (4) The clerk of the circuit clerk, if authorized by an
22 ordinance of the county board, may collect a fee of up to
23 \$10 for court interpreter services, in addition to other
24 fees or costs allowed or imposed by law, in all criminal
25 and quasi-criminal cases from each person convicted or
26 sentenced to supervision in a case arising from a felony,

1 misdemeanor, business offense, or petty offense complaint
2 or arising from a minor traffic or ordinance violation.
3 This fee shall be deposited into a separate Court
4 Interpreter Services Fund, of which the chief judge or his
5 or her designee shall be the custodian, to be used to
6 maintain court interpreter services. If this fee for court
7 interpreter services is collected, 10% shall be deposited
8 into the Circuit Court Clerk Operation and Administrative
9 Fund created by the clerk of the circuit court.

10 (x) Transcripts of Judgment.

11 For the filing of a transcript of judgment, the clerk
12 shall be entitled to the same fee as if it were the
13 commencement of a new suit.

14 (y) Change of Venue.

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

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

22 (z) Tax objection complaints.

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

1 (aa) Tax Deeds.

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

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

6 (bb) Collections.

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

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

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

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

1 Support Collection Fund, of which the clerk shall be the
2 custodian, ex-officio, to be used by the clerk to maintain
3 child support orders and record all payments issued by the
4 State Disbursement Unit for the official record of the
5 Court. The clerk may recover from the person making the
6 maintenance or child support payment any additional cost
7 incurred in the collection of this annual fee.

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

13 (cc) Corrections of Numbers.

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

19 (dd) Exceptions.

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

1 any state's attorney.

2 (2) No fee provided herein shall be charged to any unit
3 of local government or school district. The fee
4 requirements of this Section shall not apply to any action
5 instituted under subsection (b) of Section 11-31-1 of the
6 Illinois Municipal Code by a private owner or tenant of
7 real property within 1200 feet of a dangerous or unsafe
8 building seeking an order compelling the owner or owners of
9 the building to take any of the actions authorized under
10 that subsection.

11 (3) The fee requirements of this Section shall not
12 apply to the filing of any commitment petition or petition
13 for an order authorizing the administration of
14 psychotropic medication or electroconvulsive therapy under
15 the Mental Health and Developmental Disabilities Code.

16 (ee) Adoption.

17 (1) For an adoption \$65

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

23 (ff) Adoption exemptions.

24 No fee other than that set forth in subsection (ee)
25 shall be charged to any person in connection with an
26 adoption proceeding nor may any fee be charged for

1 proceedings for the appointment of a confidential
2 intermediary under the Adoption Act.

3 (gg) Unpaid fees.

4 Unless a court ordered payment schedule is implemented
5 or the fee requirements of this Section are waived pursuant
6 to court order, the clerk of the court may add to any
7 unpaid fees and costs under this Section a delinquency
8 amount equal to 5% of the unpaid fees that remain unpaid
9 after 30 days, 10% of the unpaid fees that remain unpaid
10 after 60 days, and 15% of the unpaid fees that remain
11 unpaid after 90 days. Notice to those parties may be made
12 by signage posting or publication. The additional
13 delinquency amounts collected under this Section shall be
14 used to defray additional administrative costs incurred by
15 the clerk of the circuit court in collecting unpaid fees
16 and costs.

17 (Source: P.A. 95-172, eff. 8-14-07.)

18 Section 99. Effective date. This Act takes effect June 1,
19 2011.