

1 AN ACT in relation to fees.

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
5 changing Sections 27.2a and 27.3b and adding Section 27.3d as
6 follows:

7 (705 ILCS 105/27.2a) (from Ch. 25, par. 27.2a)

8 Sec. 27.2a. The fees of the clerks of the circuit court
9 in all counties having a population of 3,000,000 or more
10 inhabitants in the instances described in this Section shall
11 be as provided in this Section. The fees shall be paid in
12 advance and shall be as follows:

13 (a) Civil Cases.

14 The fee for filing a complaint, petition, or other
15 pleading initiating a civil action, with the following
16 exceptions, shall be \$190.

17 (A) When the amount of money or damages or the
18 value of personal property claimed does not exceed
19 \$250, \$15.

20 (B) When that amount exceeds \$250 but does not
21 exceed \$1000, \$40.

22 (C) When that amount exceeds \$1000 but does
23 not exceed \$2500, \$50.

24 (D) When that amount exceeds \$2500 but does
25 not exceed \$5000, \$100.

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

28 (F) For the exercise of eminent domain, \$150.
29 For each additional lot or tract of land or right or
30 interest therein subject to be condemned, the
31 damages in respect to which shall require separate

1 assessment by a jury, \$150.

2 (G) For the final determination of parking,
3 standing, and compliance violations and final
4 administrative decisions issued after hearings
5 regarding vehicle immobilization and impoundment
6 made pursuant to Sections 3-704.1, 6-306.5, and
7 11-208.3 of the Illinois Vehicle Code, \$25.

8 (b) Forcible Entry and Detainer.

9 In each forcible entry and detainer case when the
10 plaintiff seeks possession only or unites with his or her
11 claim for possession of the property a claim for rent or
12 damages or both in the amount of \$15,000 or less, \$75.
13 When the plaintiff unites his or her claim for possession
14 with a claim for rent or damages or both exceeding
15 \$15,000, \$225.

16 (c) Counterclaim or Joining Third Party Defendant.

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

26 (d) Confession of Judgment.

27 In a confession of judgment when the amount does not
28 exceed \$1500, \$60. When the amount exceeds \$1500, but
29 does not exceed \$5000, \$75. When the amount exceeds
30 \$5000, but does not exceed \$15,000, \$175. When the amount
31 exceeds \$15,000, \$250.

32 (e) Appearance.

33 The fee for filing an appearance in each civil case
34 shall be \$75, except as follows:

1 (A) When the plaintiff in a forcible entry and
2 detainer case seeks possession only, \$40.

3 (B) When the amount in the case does not
4 exceed \$1500, \$40.

5 (C) When that amount exceeds \$1500 but does
6 not exceed \$15,000, \$60.

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

8 In garnishment affidavit, wage deduction affidavit,
9 and citation petition when the amount does not exceed
10 \$1,000, \$15; when the amount exceeds \$1,000 but does not
11 exceed \$5,000, \$30; and when the amount exceeds \$5,000,
12 \$50.

13 (g) Petition to Vacate or Modify.

14 (1) Petition to vacate or modify any final judgment
15 or order of court, except in forcible entry and detainer
16 cases and small claims cases or a petition to reopen an
17 estate, to modify, terminate, or enforce a judgment or
18 order for child or spousal support, or to modify,
19 suspend, or terminate an order for withholding, if filed
20 before 30 days after the entry of the judgment or order,
21 \$50. If filed later than 30 days after the entry of the
22 judgment or order, \$75.

23 (2) Petition to vacate or modify any final judgment
24 or order of court or a petition to reconsider a final
25 judgement or order of court, except a petition to modify,
26 terminate, or enforce a judgment or order for child or
27 spousal support or to modify, suspend, or terminate an
28 order for withholding, if filed later than 30 days after
29 the entry of the judgment or order, \$75.

30 (3) Petition to vacate order of bond forfeiture,
31 \$40.

32 (h) Mailing.

33 When the clerk is required to mail, the fee will be
34 \$10, plus the cost of postage.

1 (i) Certified Copies.

2 Each certified copy of a judgment after the first,
3 except in small claims and forcible entry and detainer
4 cases, \$15.

5 (j) Habeas Corpus.

6 For filing a petition for relief by habeas corpus,
7 \$125.

8 (k) Certification, Authentication, and Reproduction.

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

12 (2) Court appeals when original documents are
13 forwarded, under 100 pages, plus delivery and costs, \$75.

14 (3) Court appeals when original documents are
15 forwarded, over 100 pages, plus delivery and costs, \$150.

16 (4) Court appeals when original documents are
17 forwarded, over 200 pages, an additional fee of 25 cents
18 per page.

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

21 (A) First page, \$2.

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

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

24 (l) Remands.

25 In any cases remanded to the Circuit Court from the
26 Supreme Court or the Appellate Court for a new trial, the
27 clerk shall file the remanding order and reinstate the
28 case with either its original number or a new number.
29 The Clerk shall not charge any new or additional fee for
30 the reinstatement. Upon reinstatement the Clerk shall
31 advise the parties of the reinstatement. A party shall
32 have the same right to a jury trial on remand and
33 reinstatement as he or she had before the appeal, and no
34 additional or new fee or charge shall be made for a jury

1 trial after remand.

2 (m) Record Search.

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

6 (n) Hard Copy.

7 For each page of hard copy print output, when case
8 records are maintained on an automated medium, the clerk
9 shall be entitled to a fee 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
14 records are maintained in a current automated medium, and
15 when no hard copy print output is requested. The fees to
16 be charged for management records, multiple case records,
17 and multiple journal records may be specified by the
18 Chief Judge pursuant to the guidelines for access and
19 dissemination of information approved by the Supreme
20 Court.

21 (p) Commitment Petitions.

22 For filing commitment petitions under the Mental
23 Health and Developmental Disabilities Code, \$50.

24 (q) Alias Summons.

25 For each alias summons or citation issued by the
26 clerk, \$5.

27 (r) Other Fees.

28 Any fees not covered in this Section shall be set by
29 rule or administrative order of the Circuit Court with
30 the approval of the Administrative Office of the Illinois
31 Courts.

32 The clerk of the circuit court may provide
33 additional services for which there is no fee specified
34 by statute in connection with the operation of the

1 clerk's office as may be requested by the public and
2 agreed to by the clerk and approved by the chief judge of
3 the circuit court. Any charges for additional services
4 shall be as agreed to between the clerk and the party
5 making the request and approved by the chief judge of the
6 circuit court. Nothing in this subsection shall be
7 construed to require any clerk to provide any service not
8 otherwise required by law.

9 (s) Jury Services.

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

21 (t) Voluntary Assignment.

22 For filing each deed of voluntary assignment, \$20;
23 for recording the same, 50¢ for each 100 words.
24 Exceptions filed to claims presented to an assignee of a
25 debtor who has made a voluntary assignment for the
26 benefit of creditors shall be considered and treated, for
27 the purpose of taxing costs therein, as actions in which
28 the party or parties filing the exceptions shall be
29 considered as party or parties plaintiff, and the
30 claimant or claimants as party or parties defendant, and
31 those parties respectively shall pay to the clerk the
32 same fees as provided by this Section to be paid in other
33 actions.

34 (u) Expungement Petition.

1 The clerk shall be entitled to receive a fee of \$60
2 for each expungement petition filed and an additional fee
3 of \$4 for each certified copy of an order to expunge
4 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, or
9 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,
12 \$150, plus the fees specified in subsection (v)(3),
13 except:

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

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

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

26 (A) When the value of the real and personal
27 property does not exceed \$15,000, the fee shall be
28 \$40.

29 (B) When (i) letters of office are issued to a
30 guardian of the person or persons, but not of the
31 estate or (ii) letters of office are issued in the
32 estate of a ward without administration of the
33 estate, including filing or joining in the filing of
34 a tax return or releasing a mortgage or consenting

1 to the marriage of the ward, the fee shall be \$20.

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

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

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

15 (C) For filing in an estate a claim, petition,
16 or supplemental proceeding based upon an action
17 seeking equitable relief including the construction
18 or contest of a will, enforcement of a contract to
19 make a will, and proceedings involving testamentary
20 trusts or the appointment of testamentary trustees,
21 \$60.

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

27 (E) Except as provided in subsection
28 (v)(3)(D), for filing the appearance of any person
29 or persons, \$30.

30 (F) For each jury demand, \$137.50.

31 (G) For disposition of the collection of a
32 judgment or settlement of an action or claim for
33 wrongful death of a decedent or of any cause of
34 action of a ward, when there is no other

1 administration of the estate, \$50, less any amount
 2 paid under subsection (v)(1)(B) or (v)(2)(B) except
 3 that if the amount involved does not exceed \$5,000,
 4 the fee, including any amount paid under subsection
 5 (v)(1)(B) or (v)(2)(B), shall be \$20.

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

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

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

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

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

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

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

- 30 (A) Felony complaints, \$125.
- 31 (B) Misdemeanor complaints, \$75.
- 32 (C) Business offense complaints, \$75.
- 33 (D) Petty offense complaints, \$75.
- 34 (E) Minor traffic or ordinance violations,

1 \$30.

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

3 (G) Motions to vacate or amend final orders,
4 \$40.

5 (H) Motions to vacate bond forfeiture orders,
6 \$30.

7 (I) Motions to vacate ex parte judgments,
8 whenever filed, \$30.

9 (J) Motions to vacate judgment on forfeitures,
10 whenever filed, \$25.

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

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

18 (A) Minor traffic or ordinance violations,
19 \$30.

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

21 (3) In ordinance violation cases punishable by fine
22 only, the clerk of the circuit court shall be entitled to
23 receive, unless the fee is excused upon a finding by the
24 court that the defendant is indigent, in addition to
25 other fees or costs allowed or imposed by law, the sum of
26 \$112.50 as a fee for the services of a jury. The jury
27 fee shall be paid by the defendant at the time of filing
28 his or her jury demand. If the fee is not so paid by the
29 defendant, no jury shall be called, and the case shall be
30 tried by the court without a jury.

31 (x) Transcripts of Judgment.

32 For the filing of a transcript of judgment, the
33 clerk shall be entitled to the same fee as if it were the
34 commencement of a new suit.

1 (y) Change of Venue.

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

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

8 (z) Tax objection complaints.

9 For each tax objection complaint containing one or
10 more tax objections, regardless of the number of parcels
11 involved or the number of taxpayers joining in the
12 complaint, \$50.

13 (aa) Tax Deeds.

14 (1) Petition for tax deed, if only one parcel is
15 involved, \$250.

16 (2) For each additional parcel, add a fee of \$100.

17 (bb) Collections.

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

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

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

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

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

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

17 (cc) Corrections of Numbers.

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

23 (dd) Exceptions.

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

32 (2) No fee provided herein shall be charged to any
33 unit of local government or school district. The fee
34 requirements of this Section shall not apply to any

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

7 (ee) Adoption.

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

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

14 (ff) Adoption exemptions.

15 No fee other than that set forth in subsection (ee)
16 shall be charged to any person in connection with an
17 adoption proceeding.

18 (Source: P.A. 90-466, eff. 8-17-97; 90-796, eff. 12-15-98;
19 91-321, eff. 1-1-00; 91-612, eff. 10-1-99; 91-821, eff.
20 6-13-00.)

21 (705 ILCS 105/27.3b) (from Ch. 25, par. 27.3b)

22 Sec. 27.3b. The clerk of court may accept payment of
23 fines, penalties, or costs by credit card or debit card
24 approved by the clerk from an offender who has been convicted
25 of or placed on court supervision for a traffic offense,
26 petty offense, ordinance offense, or misdemeanor or who has
27 been convicted of a felony offense. The clerk of the court
28 may also accept payment of statutory fees by a credit card or
29 debit card. The clerk of the court may also accept the
30 credit card or debit card for the cash deposit of bail bond
31 fees up to \$300.

32 The Clerk of the circuit court is authorized to enter
33 into contracts with credit card or debit card companies

1 approved by the clerk and to pay those companies fees
2 normally charged by those companies for allowing the clerk of
3 the circuit court to accept their credit cards or debit cards
4 in payment as authorized herein. Where the offender pays
5 fines, penalties, or costs by credit card or debit card, or
6 anyone paying statutory fees of the circuit court clerk or
7 the posting of cash bail, the clerk shall collect a service
8 fee of up to \$5 or the amount charged to the clerk for use of
9 its services by the credit card or debit card issuer. This
10 service fee shall be in addition to any other fines,
11 penalties, or costs.

12 (Source: P.A. 91-733, eff. 1-1-01.)

13 (705 ILCS 105/27.3d new)

14 Sec. 27.3d. Document evidence storage system.

15 (a) The expense of establishing and maintaining a
16 document evidence storage system in the offices of the
17 circuit court clerks in the several counties of this State
18 shall be borne by the county. To defray the expense in any
19 county that elects to establish a document evidence storage
20 system and convert document evidence records of the circuit
21 court clerk to electronic or micrographic storage, the county
22 board may require the clerk of the circuit court in its
23 county to collect a court document evidence fee of not less
24 than \$1 nor more than \$5, to be charged and collected by the
25 clerk of the court. The fee shall be paid at the time of
26 filing the first pleading, paper, or other appearance filed
27 by each party in all civil cases or by the defendant in any
28 felony, misdemeanor, traffic, ordinance, or conservation
29 matter on a judgment of guilty or grant of supervision,
30 provided that the document evidence storage system is in
31 place or has been authorized by the county board and that no
32 additional fee shall be required if more than one party is
33 presented in a single pleading, paper, or other appearance.

1 The fee shall be collected in the manner in which all other
2 fees or costs are collected. The court document evidence fee
3 provided in this subsection (a) shall not apply to any petty
4 offense moving violation written by a municipal police
5 department in a county having a population of more than
6 650,000 but less than 3,000,000 inhabitants whether written
7 under the Illinois Vehicle Code or under any municipal
8 ordinance.

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

14 (c) Court document evidence fees shall be in addition to
15 other fees and charges of the clerk, shall be assessable as
16 costs, and may be waived only if the judge specifically
17 provides for the waiver of the court document evidence
18 storage fee. The fees shall be remitted monthly by the clerk
19 to the county treasurer, to be retained by the treasurer in a
20 special fund designated as the Court Document Evidence
21 Storage Fund. The fund shall be audited by the county
22 auditor, and the board shall make expenditures from the fund
23 in payment of any costs relative to the storage of court
24 evidence provided that the expenditure is approved by the
25 clerk of the circuit court.

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