

1 AN ACT in relation to 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
5 changing Section 27.2 as follows:

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

7 (Text of Section before amendment by P.A. 92-521)

8 Sec. 27.2. The fees of the clerks of the circuit court
9 in all counties having a population in excess of 650,000
10 inhabitants but less than 3,000,000 inhabitants in the
11 instances described in this Section shall be as provided in
12 this Section. In addition, the fees provided in this Section
13 shall apply to all units of local government and school
14 districts in counties with more than 3,000,000 inhabitants.
15 The fees shall be paid in advance and shall be as follows:

16 (a) Civil Cases.

17 The fee for filing a complaint, petition, or other
18 pleading initiating a civil action, with the following
19 exceptions, shall be \$150.

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
24 exceed \$500, \$20.

25 (C) When that amount exceeds \$500 but does not
26 exceed \$2500, \$30.

27 (D) When that amount exceeds \$2500 but does
28 not exceed \$15,000, \$75.

29 (E) For the exercise of eminent domain, \$150.
30 For each additional lot or tract of land or right or
31 interest therein subject to be condemned, the

1 damages in respect to which shall require separate
2 assessment by a jury, \$150.

3 (b) Forcible Entry and Detainer.

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

11 (c) Counterclaim or Joining Third Party Defendant.

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

21 (d) Confession of Judgment.

22 In a confession of judgment when the amount does not
23 exceed \$1500, \$50. When the amount exceeds \$1500, but
24 does not exceed \$15,000, \$115. When the amount exceeds
25 \$15,000, \$200.

26 (e) Appearance.

27 The fee for filing an appearance in each civil case
28 shall be \$50, except as follows:

29 (A) When the plaintiff in a forcible entry and
30 detainer case seeks possession only; \$20.

31 (B) When the amount in the case does not
32 exceed \$1500, \$20.

33 (C) When that amount exceeds \$1500 but does
34 not exceed \$15,000, \$40.

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

2 In garnishment affidavit, wage deduction affidavit,
3 and citation petition when the amount does not exceed
4 \$1,000, \$10; when the amount exceeds \$1,000 but does not
5 exceed \$5,000, \$20; and when the amount exceeds \$5,000,
6 \$30.

7 (g) Petition to Vacate or Modify.

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

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

22 (3) Petition to vacate order of bond forfeiture,
23 \$20.

24 (h) Mailing.

25 When the clerk is required to mail, the fee will be
26 \$6, plus the cost of postage.

27 (i) Certified Copies.

28 Each certified copy of a judgment after the first,
29 except in small claims and forcible entry and detainer
30 cases, \$10.

31 (j) Habeas Corpus.

32 For filing a petition for relief by habeas corpus,
33 \$80.

34 (k) Certification, Authentication, and Reproduction.

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

4 (2) Court appeals when original documents are
5 forwarded, under 100 pages, plus delivery and costs, \$50.

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

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

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

13 (A) First page, \$2.

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

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

16 (l) Remands.

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

28 (m) Record Search.

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

32 (n) Hard Copy.

33 For each page of hard copy print output, when case
34 records are maintained on an automated medium, the clerk

1 shall be entitled to a fee of \$4.

2 (o) Index Inquiry and Other Records.

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

13 (p) Commitment Petitions.

14 For filing commitment petitions under the Mental
15 Health and Developmental Disabilities Code, \$25.

16 (q) Alias Summons.

17 For each alias summons or citation issued by the
18 clerk, \$4.

19 (r) Other Fees.

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

24 The clerk of the circuit court may provide
25 additional services for which there is no fee specified
26 by statute in connection with the operation of the
27 clerk's office as may be requested by the public and
28 agreed to by the clerk and approved by the chief judge of
29 the circuit court. Any charges for additional services
30 shall be as agreed to between the clerk and the party
31 making the request and approved by the chief judge of the
32 circuit court. Nothing in this subsection shall be
33 construed to require any clerk to provide any service not
34 otherwise required by law.

1 (s) Jury Services.

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

13 (t) Voluntary Assignment.

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

26 (u) Expungement Petition.

27 The clerk shall be entitled to receive a fee of \$30
28 for each expungement petition filed and an additional fee
29 of \$2 for each certified copy of an order to expunge
30 arrest records.

31 (v) Probate.

32 The clerk is entitled to receive the fees specified in
33 this subsection (v), which shall be paid in advance, except
34 that, for good cause shown, the court may suspend, reduce, or

1 release the costs payable under this subsection:

2 (1) For administration of the estate of a decedent
3 (whether testate or intestate) or of a missing person,
4 \$100, plus the fees specified in subsection (v)(3),
5 except:

6 (A) When the value of the real and personal
7 property does not exceed \$15,000, the fee shall be
8 \$25.

9 (B) When (i) proof of heirship alone is made,
10 (ii) a domestic or foreign will is admitted to
11 probate without administration (including proof of
12 heirship), or (iii) letters of office are issued for
13 a particular purpose without administration of the
14 estate, the fee shall be \$25.

15 (2) For administration of the estate of a ward,
16 \$50, plus the fees specified in subsection (v)(3),
17 except:

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

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

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

31 (A) For each account (other than one final
32 account) filed in the estate of a decedent, or ward,
33 \$15.

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

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

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

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

19 (E) Except as provided in subsection
20 (v)(3)(D), for filing the appearance of any person
21 or persons, \$10.

22 (F) For each jury demand, \$102.50.

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

32 (H) For each certified copy of letters of
33 office, of court order or other certification, \$1,
34 plus 50¢ per page in excess of 3 pages for the

1 document certified.

2 (I) For each exemplification, \$1, plus the fee
3 for certification.

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

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

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

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

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

22 (A) Felony complaints, \$80.

23 (B) Misdemeanor complaints, \$50.

24 (C) Business offense complaints, \$50.

25 (D) Petty offense complaints, \$50.

26 (E) Minor traffic or ordinance violations,
27 \$20.

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

29 (G) Motions to vacate or amend final orders,
30 \$20.

31 (H) Motions to vacate bond forfeiture orders,
32 \$20.

33 (I) Motions to vacate ex parte judgments,
34 whenever filed, \$20.

1 (J) Motions to vacate judgment on forfeitures,
2 whenever filed, \$20.

3 (K) Motions to vacate "failure to appear" or
4 "failure to comply" notices sent to the Secretary of
5 State, \$20.

6 (2) In counties having a population of more than
7 650,000 but fewer than 3,000,000 inhabitants, when the
8 violation complaint is issued by a municipal police
9 department, the clerk shall be entitled to costs from
10 each person convicted therein as follows:

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

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

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

24 (x) Transcripts of Judgment.

25 For the filing of a transcript of judgment, the
26 clerk shall be entitled to the same fee as if it were the
27 commencement of new suit.

28 (y) Change of Venue.

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

32 (2) The fee for the preparation and certification
33 of a record on a change of venue to another jurisdiction,
34 when original documents are forwarded, \$25.

1 (z) Tax objection complaints.

2 For each tax objection complaint containing one or
3 more tax objections, regardless of the number of parcels
4 involved or the number of taxpayers joining in the
5 complaint, \$25.

6 (aa) Tax Deeds.

7 (1) Petition for tax deed, if only one parcel is
8 involved, \$150.

9 (2) For each additional parcel, add a fee of \$50.

10 (bb) Collections.

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

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

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

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

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

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

10 (cc) Corrections of Numbers.

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

16 (dd) Exceptions.

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

32 (ee) Adoptions.

- 33 (1) For an adoption.....\$65
- 34 (2) Upon good cause shown, the court may waive the

1 adoption filing fee in a special needs adoption. The
2 term "special needs adoption" shall have the meaning
3 ascribed to it by the Illinois Department of Children and
4 Family Services.

5 (ff) Adoption exemptions.

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

9 (Source: P.A. 91-321, eff. 1-1-00; 91-612, eff. 10-1-99;
10 92-16, eff. 6-28-01.)

11 (Text of Section after amendment by P.A. 92-521)

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

25 (a) Civil Cases.

26 The fee for filing a complaint, petition, or other
27 pleading initiating a civil action, with the following
28 exceptions, shall be a minimum of \$150 and a maximum of
29 \$190.

30 (A) When the amount of money or damages or the
31 value of personal property claimed does not exceed
32 \$250, a minimum of \$10 and a maximum of \$15.

33 (B) When that amount exceeds \$250 but does not
34 exceed \$1,000, a minimum of \$20 and a maximum of

1 \$40.

2 (C) When that amount exceeds \$1,000 but does
3 not exceed \$2500, a minimum of \$30 and a maximum of
4 \$50.

5 (D) When that amount exceeds \$2500 but does
6 not exceed \$5,000, a minimum of \$75 and a maximum of
7 \$100.

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

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

16 (b) Forcible Entry and Detainer.

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

25 (c) Counterclaim or Joining Third Party Defendant.

26 When any defendant files a counterclaim as part of
27 his or her answer or otherwise or joins another party as
28 a third party defendant, or both, the defendant shall pay
29 a fee for each counterclaim or third party action in an
30 amount equal to the fee he or she would have had to pay
31 had he or she brought a separate action for the relief
32 sought in the counterclaim or against the third party
33 defendant, less the amount of the appearance fee, if that
34 has been paid.

1 (d) Confession of Judgment.

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

8 (e) Appearance.

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

12 (A) When the plaintiff in a forcible entry and
13 detainer case seeks possession only, a minimum of
14 \$20 and a maximum of \$40.

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

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

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

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

27 (g) Petition to Vacate or Modify.

28 (1) Petition to vacate or modify any final judgment
29 or order of court, except in forcible entry and detainer
30 cases and small claims cases or a petition to reopen an
31 estate, to modify, terminate, or enforce a judgment or
32 order for child or spousal support, or to modify,
33 suspend, or terminate an order for withholding, if filed
34 before 30 days after the entry of the judgment or order,

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

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

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

11 (h) Mailing.

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

15 (i) Certified Copies.

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

19 (j) Habeas Corpus.

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

22 (k) Certification, Authentication, and Reproduction.

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

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

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

33 (4) Court appeals when original documents are
34 forwarded, over 200 pages, an additional fee of a minimum

1 of 20 and a maximum of 25 cents per page.

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

4 (A) First page, \$2.

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

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

7 (l) Remands.

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

19 (m) Record Search.

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

24 (n) Hard Copy.

25 For each page of hard copy print output, when case
26 records are maintained on an automated medium, the clerk
27 shall be entitled to a fee of a minimum of \$1 \$4 and a
28 maximum of \$6.

29 (o) Index Inquiry and Other Records.

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

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

6 (p) Commitment Petitions.

7 For filing commitment petitions under the Mental
8 Health and Developmental Disabilities Code, a minimum of
9 \$25 and a maximum of \$50.

10 (q) Alias Summons.

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

13 (r) Other Fees.

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

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

29 (s) Jury Services.

30 The clerk shall be entitled to receive, in addition
31 to other fees allowed by law, the sum of a minimum of
32 \$192.50 and a maximum of \$212.50, as a fee for the
33 services of a jury in every civil action not
34 quasi-criminal in its nature and not a proceeding for the

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

8 (t) Voluntary Assignment.

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

22 (u) Expungement Petition.

23 The clerk shall be entitled to receive a fee of a
24 minimum of \$30 and a maximum of \$60 for each expungement
25 petition filed and an additional fee of a minimum of \$2
26 and a maximum of \$4 for each certified copy of an order
27 to expunge arrest records.

28 (v) Probate.

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

34 (1) For administration of the estate of a decedent

1 (whether testate or intestate) or of a missing person, a
2 minimum of \$100 and a maximum of \$150, plus the fees
3 specified in subsection (v)(3), except:

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

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

14 (2) For administration of the estate of a ward, a
15 minimum of \$50 and a maximum of \$75, 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) letters of office are issued to a
21 guardian of the person or persons, but not of the
22 estate or (ii) letters of office are issued in the
23 estate of a ward without administration of the
24 estate, including filing or joining in the filing of
25 a tax return or releasing a mortgage or consenting
26 to the marriage of the ward, the fee shall be a
27 minimum of \$10 and a maximum of \$20.

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

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

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

1 amount claimed is \$150 or more but less than \$500, a
2 minimum of \$10 and a maximum of \$20; when the amount
3 claimed is \$500 or more but less than \$10,000, a
4 minimum of \$25 and a maximum of \$40; when the amount
5 claimed is \$10,000 or more, a minimum of \$40 and a
6 maximum of \$60; provided that the court in allowing
7 a claim may add to the amount allowed the filing fee
8 paid by the claimant.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

32 (C) Business offense complaints, a minimum of
33 \$50 and a maximum of \$75.

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

1 and a maximum of \$75.

2 (E) Minor traffic or ordinance violations,
3 \$20.

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

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

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

9 (I) Motions to vacate ex parte judgments,
10 whenever filed, a minimum of \$20 and a maximum of
11 \$30.

12 (J) Motions to vacate judgment on forfeitures,
13 whenever filed, a minimum of \$20 and a maximum of
14 \$25.

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

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

23 (A) Minor traffic or ordinance violations,
24 \$10.

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

26 (3) In ordinance violation cases punishable by fine
27 only, the clerk of the circuit court shall be entitled to
28 receive, unless the fee is excused upon a finding by the
29 court that the defendant is indigent, in addition to
30 other fees or costs allowed or imposed by law, the sum of
31 a minimum of \$50 and a maximum of \$112.50 as a fee for
32 the services of a jury. The jury fee shall be paid by
33 the defendant at the time of filing his or her jury
34 demand. If the fee is not so paid by the defendant, no

1 jury shall be called, and the case shall be tried by the
2 court without a jury.

3 (x) Transcripts of Judgment.

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

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

15 (z) Tax objection complaints.

16 For each tax objection complaint containing one or
17 more 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
24 minimum of \$50 and a maximum of \$100.

25 (bb) Collections.

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

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

33 (3) For any check, draft, or other bank instrument
34 returned to the clerk for non-sufficient funds, account

1 closed, or payment stopped, \$25.

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

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

25 (cc) Corrections of Numbers.

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

31 (dd) Exceptions.

32 The fee requirements of this Section shall not apply
33 to police departments or other law enforcement agencies.
34 In this Section, "law enforcement agency" means an agency

1 of the State or a unit of local government which is
 2 vested by law or ordinance with the duty to maintain
 3 public order and to enforce criminal laws or ordinances.
 4 "Law enforcement agency" also means the Attorney General
 5 or any state's attorney. The fee requirements of this
 6 Section shall not apply to any action instituted under
 7 subsection (b) of Section 11-31-1 of the Illinois
 8 Municipal Code by a private owner or tenant of real
 9 property within 1200 feet of a dangerous or unsafe
 10 building seeking an order compelling the owner or owners
 11 of the building to take any of the actions authorized
 12 under that subsection.

13 (ee) Adoptions.

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

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

20 (ff) Adoption exemptions.

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

24 (Source: P.A. 91-321, eff. 1-1-00; 91-612, eff. 10-1-99;
 25 92-16, eff. 6-28-01; 92-521, eff. 6-1-02.)

26 Section 95. No acceleration or delay. Where this Act
 27 makes changes in a statute that is represented in this Act by
 28 text that is not yet or no longer in effect (for example, a
 29 Section represented by multiple versions), the use of that
 30 text does not accelerate or delay the taking effect of (i)
 31 the changes made by this Act or (ii) provisions derived from
 32 any other Public Act.