

1 AN ACT concerning 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 changing  
5 Sections 27.2, 27.2a and 27.3b as follows:

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

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

20 (a) Civil Cases.

21 The fee for filing a complaint, petition, or other  
22 pleading initiating a civil action, with the following  
23 exceptions, shall be a minimum of \$150 and a maximum of  
24 \$190.

25 (A) When the amount of money or damages or the  
26 value of personal property claimed does not exceed  
27 \$250, a minimum of \$10 and a maximum of \$15.

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

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

32 (D) When that amount exceeds \$2500 but does not

1 exceed \$5,000, a minimum of \$75 and a maximum of \$100.

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

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

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

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 minimum  
21 of \$40 and a maximum of \$75. When the plaintiff unites his  
22 or her claim for possession with a claim for rent or  
23 damages or both exceeding \$15,000, a minimum of \$150 and a  
24 maximum of \$225.

25 (c) Counterclaim or Joining Third Party Defendant.

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

35 (d) Confession of Judgment.

36 In a confession of judgment when the amount does not

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

6 (e) Appearance.

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

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

13 (B) When the amount in the case does not exceed  
14 \$1500, a minimum of \$20 and a maximum of \$40.

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

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

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

25 (g) Petition to Vacate or Modify.

26 (1) Petition to vacate or modify any final judgment or  
27 order of court, except in forcible entry and detainer cases  
28 and small claims cases or a petition to reopen an estate,  
29 to modify, terminate, or enforce a judgment or order for  
30 child or spousal support, or to modify, suspend, or  
31 terminate an order for withholding, if filed before 30 days  
32 after the entry of the judgment or order, a minimum of \$40  
33 and a maximum of \$50.

34 (2) Petition to vacate or modify any final judgment or  
35 order of court, except a petition to modify, terminate, or  
36 enforce a judgment or order for child or spousal support or

1 to modify, suspend, or terminate an order for withholding,  
2 if filed later than 30 days after the entry of the judgment  
3 or order, a minimum of \$60 and a maximum of \$75.

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

6 (h) Mailing.

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

10 (i) Certified Copies.

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

14 (j) Habeas Corpus.

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

17 (k) Certification, Authentication, and Reproduction.

18 (1) Each certification or authentication for taking  
19 the acknowledgment of a deed or other instrument in writing  
20 with the seal of office, a minimum of \$4 and a maximum of  
21 \$6.

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

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

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

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

33 (A) First page, \$2.

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

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

36 (l) Remands.

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

11 (m) Record Search.

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

15 (n) Hard Copy.

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

20 (o) Index Inquiry and Other Records.

21           No fee shall be charged for a single  
22 plaintiff/defendant index inquiry or single case record  
23 inquiry when this request is made in person and the records  
24 are maintained in a current automated medium, and when no  
25 hard copy print output is requested. The fees to be charged  
26 for management records, multiple case records, and  
27 multiple journal records may be specified by the Chief  
28 Judge pursuant to the guidelines for access and  
29 dissemination of information approved by the Supreme  
30 Court.

31 (p) (Blank).

32 (q) Alias Summons.

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

35 (r) Other Fees.

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

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

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

14 (s) Jury Services.

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

26 (t) Voluntary Assignment.

27 For filing each deed of voluntary assignment, a minimum  
28 of \$10 and a maximum of \$20; for recording the same, a  
29 minimum of 25¢ and a maximum of 50¢ for each 100 words.  
30 Exceptions filed to claims presented to an assignee of a  
31 debtor who has made a voluntary assignment for the benefit  
32 of creditors shall be considered and treated, for the  
33 purpose of taxing costs therein, as actions in which the  
34 party or parties filing the exceptions shall be considered  
35 as party or parties plaintiff, and the claimant or  
36 claimants as party or parties defendant, and those parties

1           respectively shall pay to the clerk the same fees as  
2           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 \$30 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 \$100 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 \$25 and a maximum of \$40.

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

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

33                (B) When (i) letters of office are issued to a  
34                guardian of the person or persons, but not of the  
35                estate or (ii) letters of office are issued in the  
36                estate of a ward without administration of the estate,

1 including filing or joining in the filing of a tax  
2 return or releasing a mortgage or consenting to the  
3 marriage of the ward, the fee shall be a minimum of \$10  
4 and a maximum of \$20.

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

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

11 (B) For filing a claim in an estate when the amount  
12 claimed is \$150 or more but less than \$500, a minimum  
13 of \$10 and a maximum of \$20; when the amount claimed is  
14 \$500 or more but less than \$10,000, a minimum of \$25  
15 and a maximum of \$40; when the amount claimed is  
16 \$10,000 or more, a minimum of \$40 and a maximum of \$60;  
17 provided that the court in allowing a claim may add to  
18 the amount allowed the filing fee paid by the claimant.

19 (C) For filing in an estate a claim, petition, or  
20 supplemental proceeding based upon an action seeking  
21 equitable relief including the construction or contest  
22 of a will, enforcement of a contract to make a will,  
23 and proceedings involving testamentary trusts or the  
24 appointment of testamentary trustees, a minimum of \$40  
25 and a maximum of \$60.

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

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

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

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



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

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

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

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

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

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

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

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

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

36 (B) Misdemeanor complaints, a minimum of \$50 and a

1 maximum of \$75.

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

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

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

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

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

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

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

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

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

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

24 (A) Minor traffic or ordinance violations, \$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 other  
30 fees or costs allowed or imposed by law, the sum of a  
31 minimum of \$50 and a maximum of \$112.50 as a fee for the  
32 services of a jury. The jury fee shall be paid by the  
33 defendant at the time of filing his or her jury demand. If  
34 the fee is not so paid by the defendant, no jury shall be  
35 called, and the case shall be tried by the court without a  
36 jury.

1 (x) Transcripts of Judgment.

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

5 (y) Change of Venue.

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

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

13 (z) Tax objection complaints.

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

18 (aa) Tax Deeds.

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

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

23 (bb) Collections.

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

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

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

34 (4) In child support and maintenance cases, the clerk,  
35 if authorized by an ordinance of the county board, may  
36 collect an annual fee of up to \$36 from the person making

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

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

20 (cc) Corrections of Numbers.

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

26 (dd) Exceptions.

27 The fee requirements of this Section shall not apply to  
28 police departments or other law enforcement agencies. In  
29 this Section, "law enforcement agency" means an agency of  
30 the State or a unit of local government which is vested by  
31 law or ordinance with the duty to maintain public order and  
32 to enforce criminal laws or ordinances. "Law enforcement  
33 agency" also means the Attorney General or any state's  
34 attorney. The fee requirements of this Section shall not  
35 apply to any action instituted under subsection (b) of  
36 Section 11-31-1 of the Illinois Municipal Code by a private

1 owner or tenant of real property within 1200 feet of a  
2 dangerous or unsafe building seeking an order compelling  
3 the owner or owners of the building to take any of the  
4 actions authorized under that subsection.

5 The fee requirements of this Section shall not apply to  
6 the filing of any commitment petition or petition for an  
7 order authorizing the administration of authorized  
8 involuntary treatment in the form of medication under the  
9 Mental Health and Developmental Disabilities Code.

10 (ee) Adoptions.

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

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

17 (ff) Adoption exemptions.

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

23 (gg) Unpaid fees.

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

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

3 (705 ILCS 105/27.2a) (from Ch. 25, par. 27.2a)

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

12 (a) Civil Cases.

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

17 (A) When the amount of money or damages or the  
18 value of personal property claimed does not exceed  
19 \$250, a minimum of \$15 and a maximum of \$22.

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

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

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

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

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

33 (G) For the final determination of parking,  
34 standing, and compliance violations and final  
35 administrative decisions issued after hearings

1           regarding vehicle immobilization and impoundment made  
2           pursuant to Sections 3-704.1, 6-306.5, and 11-208.3 of  
3           the Illinois Vehicle Code, \$25.

4           (H) No fees shall be charged by the clerk to a  
5           petitioner in any order of protection including, but  
6           not limited to, filing, modifying, withdrawing,  
7           certifying, or photocopying petitions for orders of  
8           protection, or for issuing alias summons, or for any  
9           related filing service, certifying, modifying,  
10          vacating, or photocopying any orders of protection.

11 (b) Forcible Entry and Detainer.

12           In each forcible entry and detainer case when the  
13           plaintiff seeks possession only or unites with his or her  
14           claim for possession of the property a claim for rent or  
15           damages or both in the amount of \$15,000 or less, a minimum  
16           of \$75 and a maximum of \$140. When the plaintiff unites his  
17           or her claim for possession with a claim for rent or  
18           damages or both exceeding \$15,000, a minimum of \$225 and a  
19           maximum of \$335.

20 (c) Counterclaim or Joining Third Party Defendant.

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

30 (d) Confession of Judgment.

31           In a confession of judgment when the amount does not  
32           exceed \$1500, a minimum of \$60 and a maximum of \$70. When  
33           the amount exceeds \$1500, but does not exceed \$5000, a  
34           minimum of \$75 and a maximum of \$150. When the amount  
35           exceeds \$5000, but does not exceed \$15,000, a minimum of  
36           \$175 and a maximum of \$260. When the amount exceeds

1           \$15,000, a minimum of \$250 and a maximum of \$310.

2       (e) Appearance.

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

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

9                   (B) When the amount in the case does not exceed  
10                  \$1500, a minimum of \$40 and a maximum of \$80.

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

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

14           In garnishment affidavit, wage deduction affidavit,  
15           and citation petition when the amount does not exceed  
16           \$1,000, a minimum of \$15 and a maximum of \$25; when the  
17           amount exceeds \$1,000 but does not exceed \$5,000, a minimum  
18           of \$30 and a maximum of \$45; and when the amount exceeds  
19           \$5,000, a minimum of \$50 and a maximum of \$80.

20       (g) Petition to Vacate or Modify.

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

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

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



1 (h) Mailing.

2 When the clerk is required to mail, the fee will be a  
3 minimum of \$10 and a maximum of \$15, 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 \$15 and a maximum of \$20.

9 (j) Habeas Corpus.

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

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 \$6 and a maximum of  
16 \$9.

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

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

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

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

28 (A) First page, \$2.

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

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

31 (l) Remands.

32 In any cases remanded to the Circuit Court from the  
33 Supreme Court or the Appellate Court for a new trial, the  
34 clerk shall file the remanding order and reinstate the case  
35 with either its original number or a new number. The Clerk  
36 shall not charge any new or additional fee for the

1 reinstatement. Upon reinstatement the Clerk shall advise  
2 the parties of the reinstatement. A party shall have the  
3 same right to a jury trial on remand and reinstatement as  
4 he or she had before the appeal, and no additional or new  
5 fee or charge shall be made for a jury trial after remand.

6 (m) Record Search.

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

10 (n) Hard Copy.

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

15 (o) Index Inquiry and Other Records.

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

26 (p) (Blank).

27 (q) Alias Summons.

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

30 (r) Other Fees.

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

35 The clerk of the circuit court may provide additional  
36 services for which there is no fee specified by statute in

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

9 (s) Jury Services.

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

21 (t) Voluntary Assignment.

22 For filing each deed of voluntary assignment, a minimum  
23 of \$20 and a maximum of \$40; for recording the same, a  
24 minimum of 50¢ and a maximum of \$0.80 for each 100 words.  
25 Exceptions filed to claims presented to an assignee of a  
26 debtor who has made a voluntary assignment for the benefit  
27 of creditors shall be considered and treated, for the  
28 purpose of taxing costs therein, as actions in which the  
29 party or parties filing the exceptions shall be considered  
30 as party or parties plaintiff, and the claimant or  
31 claimants as party or parties defendant, and those parties  
32 respectively shall pay to the clerk the same fees as  
33 provided by this Section to be paid in other actions.

34 (u) Expungement Petition.

35 The clerk shall be entitled to receive a fee of a  
36 minimum of \$60 and a maximum of \$120 for each expungement

1 petition filed and an additional fee of a minimum of \$4 and  
2 a maximum of \$8 for each certified copy of an order to  
3 expunge arrest records.

4 (v) Probate.

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

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

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

16 (B) When (i) proof of heirship alone is made, (ii)  
17 a domestic or foreign will is admitted to probate  
18 without administration (including proof of heirship),  
19 or (iii) letters of office are issued for a particular  
20 purpose without administration of the estate, the fee  
21 shall be a minimum of \$40 and a maximum of \$65.

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

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

28 (B) When (i) letters of office are issued to a  
29 guardian of the person or persons, but not of the  
30 estate or (ii) letters of office are issued in the  
31 estate of a ward without administration of the estate,  
32 including filing or joining in the filing of a tax  
33 return or releasing a mortgage or consenting to the  
34 marriage of the ward, the fee shall be a minimum of \$20  
35 and a maximum of \$40.

36 (3) In addition to the fees payable under subsection

1 (v) (1) or (v) (2) of this Section, the following fees are  
2 payable:

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

6 (B) For filing a claim in an estate when the amount  
7 claimed is \$150 or more but less than \$500, a minimum  
8 of \$20 and a maximum of \$40; when the amount claimed is  
9 \$500 or more but less than \$10,000, a minimum of \$40  
10 and a maximum of \$65; when the amount claimed is  
11 \$10,000 or more, a minimum of \$60 and a maximum of \$90;  
12 provided that the court in allowing a claim may add to  
13 the amount allowed the filing fee paid by the claimant.

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

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

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

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

31 (G) For disposition of the collection of a judgment  
32 or settlement of an action or claim for wrongful death  
33 of a decedent or of any cause of action of a ward, when  
34 there is no other administration of the estate, a  
35 minimum of \$50 and a maximum of \$80, less any amount  
36 paid under subsection (v) (1) (B) or (v) (2) (B) except

1           that if the amount involved does not exceed \$5,000, the  
2           fee, including any amount paid under subsection  
3           (v) (1) (B) or (v) (2) (B), shall be a minimum of \$20 and a  
4           maximum of \$40.

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

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

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

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

19          (6) The executor, administrator, guardian, petitioner,  
20          or other interested person or his or her attorney shall pay  
21          to the clerk all postage charges incurred by the clerk in  
22          mailing petitions, orders, notices, or other documents  
23          pursuant to the provisions of the Probate Act 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 \$125 and a  
29                         maximum of \$190.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

30 (x) Transcripts of Judgment.

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

34 (y) Change of Venue.

35 (1) For the filing of a change of case on a change of  
36 venue, the clerk shall be entitled to the same fee as if it

1 were the commencement of a new suit.

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

6 (z) Tax objection complaints.

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

11 (aa) Tax Deeds.

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

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

16 (bb) Collections.

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

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

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

27 (4) In child support and maintenance cases, the clerk,  
28 if authorized by an ordinance of the county board, may  
29 collect an annual fee of up to \$36 from the person making  
30 payment for maintaining child support records and the  
31 processing of support orders to the State of Illinois KIDS  
32 system and the recording of payments issued by the State  
33 Disbursement Unit for the official record of the Court.  
34 This fee shall be in addition to and separate from amounts  
35 ordered to be paid as maintenance or child support and  
36 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  
27 any state's attorney.

28 (2) No fee provided herein shall be charged to any unit  
29 of local government or school district. The fee  
30 requirements of this Section shall not apply to any action  
31 instituted under subsection (b) of Section 11-31-1 of the  
32 Illinois Municipal Code by a private owner or tenant of  
33 real property within 1200 feet of a dangerous or unsafe  
34 building seeking an order compelling the owner or owners of  
35 the building to take any of the actions authorized under  
36 that subsection.

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

6           (ee) Adoption.

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  
 27                 unpaid after 90 days. Notice to those parties may be made  
 28                 by signage posting or publication. The additional  
 29                 delinquency amounts collected under this Section shall be  
 30                 used to defray additional administrative costs incurred by  
 31                 the clerk of the circuit court in collecting unpaid fees  
 32                 and costs.

33                 (Source: P.A. 92-521, eff. 6-1-02; 93-385, eff. 7-25-03;  
 34                 93-573, eff. 8-21-03; revised 9-8-03.)

35                 (705 ILCS 105/27.3b) (from Ch. 25, par. 27.3b)

1           Sec. 27.3b. The clerk of court may accept payment of fines,  
2 penalties, or costs by credit card or debit card approved by  
3 the clerk from an offender who has been convicted of or placed  
4 on court supervision for a traffic offense, petty offense,  
5 ordinance offense, or misdemeanor or who has been convicted of  
6 a felony offense. The clerk of the circuit court may accept  
7 credit card payments over the Internet for fines, penalties, or  
8 costs from offenders on voluntary electronic pleas of guilty in  
9 minor traffic and conservation offenses to satisfy the  
10 requirement of written pleas of guilty as provided in Illinois  
11 Supreme Court Rule 529. The clerk of the court may also accept  
12 payment of statutory fees by a credit card or debit card. The  
13 clerk of the court may also accept the credit card or debit  
14 card for the cash deposit of bail bond fees ~~up to \$300~~.

15           The Clerk of the circuit court is authorized to enter into  
16 contracts with credit card or debit card companies approved by  
17 the clerk and to pay those companies fees normally charged by  
18 those companies for allowing the clerk of the circuit court to  
19 accept their credit cards or debit cards in payment as  
20 authorized herein. Where the offender pays fines, penalties, or  
21 costs by credit card or debit card, or anyone paying statutory  
22 fees of the circuit court clerk or the posting of cash bail,  
23 the clerk shall collect a service fee of up to \$5 or the amount  
24 charged to the clerk for use of its services by the credit card  
25 or debit card issuer. This service fee shall be in addition to  
26 any other fines, penalties, or costs.

27           (Source: P.A. 93-391, eff. 1-1-04.)

28           Section 10. The Code of Criminal Procedure of 1963 is  
29 amended by changing Section 110-7 as follows:

30           (725 ILCS 5/110-7) (from Ch. 38, par. 110-7)

31           Sec. 110-7. Deposit of Bail Security.

32           (a) The person for whom bail has been set shall execute the  
33 bail bond and deposit with the clerk of the court before which  
34 the proceeding is pending a sum of money equal to 10% of the

1 bail, but in no event shall such deposit be less than \$25. The  
2 clerk of the court shall provide a space on each form for a  
3 person other than the accused who has provided the money for  
4 the posting of bail to so indicate and a space signed by an  
5 accused who has executed the bail bond indicating whether a  
6 person other than the accused has provided the money for the  
7 posting of bail. The form shall also include a written notice  
8 to such person who has provided the defendant with the money  
9 for the posting of bail indicating that the bail may be used to  
10 pay costs, attorney's fees, fines, or other purposes authorized  
11 by the court and if the defendant fails to comply with the  
12 conditions of the bail bond, the court shall enter an order  
13 declaring the bail to be forfeited. The written notice must be:  
14 (1) distinguishable from the surrounding text; (2) in bold type  
15 or underscored; and (3) in a type size at least 2 points larger  
16 than the surrounding type. When a person for whom bail has been  
17 set is charged with an offense under the "Illinois Controlled  
18 Substances Act" which is a Class X felony, the court may  
19 require the defendant to deposit a sum equal to 100% of the  
20 bail. Where any person is charged with a forcible felony while  
21 free on bail and is the subject of proceedings under Section  
22 109-3 of this Code the judge conducting the preliminary  
23 examination may also conduct a hearing upon the application of  
24 the State pursuant to the provisions of Section 110-6 of this  
25 Code to increase or revoke the bail for that person's prior  
26 alleged offense.

27 (b) Upon depositing this sum and any bond fee authorized by  
28 law, the person shall be released from custody subject to the  
29 conditions of the bail bond.

30 (c) Once bail has been given and a charge is pending or is  
31 thereafter filed in or transferred to a court of competent  
32 jurisdiction the latter court shall continue the original bail  
33 in that court subject to the provisions of Section 110-6 of  
34 this Code.

35 (d) After conviction the court may order that the original  
36 bail stand as bail pending appeal or deny, increase or reduce

1 bail subject to the provisions of Section 110-6.2.

2 (e) After the entry of an order by the trial court allowing  
3 or denying bail pending appeal either party may apply to the  
4 reviewing court having jurisdiction or to a justice thereof  
5 sitting in vacation for an order increasing or decreasing the  
6 amount of bail or allowing or denying bail pending appeal  
7 subject to the provisions of Section 110-6.2.

8 (f) When the conditions of the bail bond have been  
9 performed and the accused has been discharged from all  
10 obligations in the cause the clerk of the court shall return to  
11 the accused or to the defendant's designee by an assignment  
12 executed at the time the bail amount is deposited, unless the  
13 court orders otherwise, 90% of the sum which had been deposited  
14 and shall retain as bail bond costs 10% of the amount  
15 deposited. However, in no event shall the amount retained by  
16 the clerk as bail bond costs be less than \$5. Bail bond  
17 deposited by or on behalf of a defendant in one case may be  
18 used, in the court's discretion, to satisfy financial  
19 obligations of that same defendant incurred in a different case  
20 due to a fine, court costs, restitution or fees of the  
21 defendant's attorney of record. In counties with a population  
22 of 3,000,000 or more, the ~~The~~ court shall not order bail bond  
23 deposited by or on behalf of a defendant in one case to be used  
24 to satisfy financial obligations of that same defendant in a  
25 different case until the bail bond is first used to satisfy  
26 court costs and attorney's fees in the case in which the bail  
27 bond has been deposited and any other unpaid child support  
28 obligations are satisfied. In counties with a population of  
29 less than 3,000,000, the court shall not order bail bond  
30 deposited by or on behalf of a defendant in one case to be used  
31 to satisfy financial obligations of that same defendant in a  
32 different case until the bail bond is first used to satisfy  
33 court costs in the case in which the bail bond has been  
34 deposited.

35 At the request of the defendant the court may order such  
36 90% of defendant's bail deposit, or whatever amount is

1 repayable to defendant from such deposit, to be paid to  
2 defendant's attorney of record.

3 (g) If the accused does not comply with the conditions of  
4 the bail bond the court having jurisdiction shall enter an  
5 order declaring the bail to be forfeited. Notice of such order  
6 of forfeiture shall be mailed forthwith to the accused at his  
7 last known address. If the accused does not appear and  
8 surrender to the court having jurisdiction within 30 days from  
9 the date of the forfeiture or within such period satisfy the  
10 court that appearance and surrender by the accused is  
11 impossible and without his fault the court shall enter judgment  
12 for the State if the charge for which the bond was given was a  
13 felony or misdemeanor, or if the charge was quasi-criminal or  
14 traffic, judgment for the political subdivision of the State  
15 which prosecuted the case, against the accused for the amount  
16 of the bail and costs of the court proceedings; however, in  
17 counties with a population of less than 3,000,000, instead of  
18 the court entering a judgment for the full amount of the bond  
19 the court may, in its discretion, enter judgment for the cash  
20 deposit on the bond, less costs, retain the deposit for further  
21 disposition or, if a cash bond was posted for failure to appear  
22 in a matter involving enforcement of child support or  
23 maintenance, the amount of the cash deposit on the bond, less  
24 outstanding costs, may be awarded to the person or entity to  
25 whom the child support or maintenance is due. The deposit made  
26 in accordance with paragraph (a) shall be applied to the  
27 payment of costs. If judgment is entered and any amount of such  
28 deposit remains after the payment of costs it shall be applied  
29 to payment of the judgment and transferred to the treasury of  
30 the municipal corporation wherein the bond was taken if the  
31 offense was a violation of any penal ordinance of a political  
32 subdivision of this State, or to the treasury of the county  
33 wherein the bond was taken if the offense was a violation of  
34 any penal statute of this State. The balance of the judgment  
35 may be enforced and collected in the same manner as a judgment  
36 entered in a civil action.

1           (h) After a judgment for a fine and court costs or either  
2 is entered in the prosecution of a cause in which a deposit had  
3 been made in accordance with paragraph (a) the balance of such  
4 deposit, after deduction of bail bond costs, shall be applied  
5 to the payment of the judgment.

6           (Source: P.A. 92-16, eff. 6-28-01; 93-371, eff. 1-1-04.)