

SB1443



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB1443

Introduced 2/23/2005, by Sen. Ira I. Silverstein

SYNOPSIS AS INTRODUCED:

705 ILCS 105/27.3a

from Ch. 25, par. 27.3a

Amends the Clerks of Courts Act. Raises the court automation fee maximum to \$15 (from \$5).

LRB094 09122 LCB 39352 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning courts.

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

4 Section 5. The Clerks of Courts Act is amended by changing
5 Section 27.3a as follows:

6 (705 ILCS 105/27.3a) (from Ch. 25, par. 27.3a)

7 Sec. 27.3a. Fees for automated record keeping.

8 1. The expense of establishing and maintaining automated
9 record keeping systems in the offices of the clerks of the
10 circuit court shall be borne by the county. To defray such
11 expense in any county having established such an automated
12 system or which elects to establish such a system, the county
13 board may require the clerk of the circuit court in their
14 county to charge and collect a court automation fee of not less
15 than \$1 nor more than \$15 ~~\$5~~ to be charged and collected by the
16 clerk of the court. Such fee shall be paid at the time of
17 filing the first pleading, paper or other appearance filed by
18 each party in all civil cases or by the defendant in any
19 felony, traffic, misdemeanor, municipal ordinance, or
20 conservation case upon a judgment of guilty or grant of
21 supervision, provided that the record keeping system which
22 processes the case category for which the fee is charged is
23 automated or has been approved for automation by the county
24 board, and provided further that no additional fee shall be
25 required if more than one party is presented in a single
26 pleading, paper or other appearance. Such fee shall be
27 collected in the manner in which all other fees or costs are
28 collected.

29 2. Each clerk shall commence such charges and collections
30 upon receipt of written notice from the chairman of the county
31 board together with a certified copy of the board's resolution,
32 which the clerk shall file of record in his office.

1 3. Such fees shall be in addition to all other fees and
2 charges of such clerks, and assessable as costs, and may be
3 waived only if the judge specifically provides for the waiver
4 of the court automation fee. The fees shall be remitted monthly
5 by such clerk to the county treasurer, to be retained by him in
6 a special fund designated as the court automation fund. The
7 fund shall be audited by the county auditor, and the board
8 shall make expenditure from the fund in payment of any cost
9 related to the automation of court records, including hardware,
10 software, research and development costs and personnel related
11 thereto, provided that the expenditure is approved by the clerk
12 of the court and by the chief judge of the circuit court or his
13 designate.

14 4. Such fees shall not be charged in any matter coming to
15 any such clerk on change of venue, nor in any proceeding to
16 review the decision of any administrative officer, agency or
17 body.

18 (Source: P.A. 87-669; 87-670; 87-671; 87-838; 87-1230.)