

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

15 (a) Civil Cases.

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

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

22 (B) When that amount exceeds \$250 but does not  
23 exceed \$500, \$20.

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

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

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

1           assessment by a jury, \$150.

2   (b) Forcible Entry and Detainer.

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

10   (c) Counterclaim or Joining Third Party Defendant.

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

20   (d) Confession of Judgment.

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

25   (e) Appearance.

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

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

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

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

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

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

6       (g) Petition to Vacate or Modify.

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

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

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

23       (h) Mailing.

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

26       (i) Certified Copies.

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

30       (j) Habeas Corpus.

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

33       (k) Certification, Authentication, and Reproduction.

34          (1) Each certification or authentication for taking

1 the acknowledgment of a deed or other instrument in  
2 writing with the seal of office, \$4.

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

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

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

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

12 (A) First page, \$2.

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

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

15 (l) Remands.

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

27 (m) Record Search.

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

31 (n) Hard Copy.

32 For each page of hard copy print output, when case  
33 records are maintained on an automated medium, the clerk  
34 shall be entitled to a fee of \$1 \$4.

1 (o) Index Inquiry and Other Records.

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

12 (p) Commitment Petitions.

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

15 (q) Alias Summons.

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

18 (r) Other Fees.

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

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

34 (s) Jury Services.

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

12 (t) Voluntary Assignment.

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

25 (u) Expungement Petition.

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

30 (v) Probate.

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

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

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

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

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

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

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 \$10.

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

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

33           (B) For filing a claim in an estate when the  
34 amount claimed is \$150 or more but less than \$500,

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

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

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

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

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

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

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



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

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

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

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

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

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

- 21 (A) Felony complaints, \$80.
- 22 (B) Misdemeanor complaints, \$50.
- 23 (C) Business offense complaints, \$50.
- 24 (D) Petty offense complaints, \$50.
- 25 (E) Minor traffic or ordinance violations,  
26 \$20.
- 27 (F) When court appearance required, \$30.
- 28 (G) Motions to vacate or amend final orders,  
29 \$20.
- 30 (H) Motions to vacate bond forfeiture orders,  
31 \$20.
- 32 (I) Motions to vacate ex parte judgments,  
33 whenever filed, \$20.
- 34 (J) Motions to vacate judgment on forfeitures,

1           whenever filed, \$20.

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

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

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

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

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

23 (x) Transcripts of Judgment.

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

27 (y) Change of Venue.

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

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

34 (z) Tax objection complaints.

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

5 (aa) Tax Deeds.

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

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

9 (bb) Collections.

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

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

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

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

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

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

9 (cc) Corrections of Numbers.

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

15 (dd) Exceptions.

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

31 (ee) Adoptions.

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

33 (2) Upon good cause shown, the court may waive the  
34 adoption filing fee in a special needs adoption. The

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

4 (ff) Adoption exemptions.

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

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