

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
5 changing Section 27.2 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. When a mailing is
26 generated using an automated record keeping system, this
27 fee shall be remitted monthly by the clerk to the county
28 treasurer and retained as part of the fund designated as
29 the court automation fund.

30 (i) Certified Copies.

31 Each certified copy of a judgment after the first,
32 except in small claims and forcible entry and detainer
33 cases, \$10.

34 (j) Habeas Corpus.

1 For filing a petition for relief by habeas corpus,
2 \$80.

3 (k) Certification, Authentication, and Reproduction.

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

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

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

11 (4) Court appeals when original documents are
12 forwarded, over 200 pages, an additional fee of 20 cents
13 per page.

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

16 (A) First page, \$2.

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

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

19 (l) Remands.

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

31 (m) Record Search.

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

1 (n) Hard Copy.

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

5 (o) Index Inquiry and Other Records.

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

16 (p) Commitment Petitions.

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

19 (q) Alias Summons.

20 For each alias summons or citation issued by the
21 clerk, \$4.

22 (r) Other Fees.

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

27 The clerk of the circuit court may provide
28 additional services for which there is no fee specified
29 by statute in connection with the operation of the
30 clerk's office as may be requested by the public and
31 agreed to by the clerk and approved by the chief judge of
32 the circuit court. Any charges for additional services
33 shall be as agreed to between the clerk and the party
34 making the request and approved by the chief judge of the

1 circuit court. Nothing in this subsection shall be
2 construed to require any clerk to provide any service not
3 otherwise required by law.

4 (s) Jury Services.

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

16 (t) Voluntary Assignment.

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

29 (u) Expungement Petition.

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

34 (v) Probate.

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

5 (1) For administration of the estate of a decedent
6 (whether testate or intestate) or of a missing person,
7 \$100, plus the fees specified in subsection (v)(3),
8 except:

9 (A) When the value of the real and personal
10 property does not exceed \$15,000, the fee shall be
11 \$25.

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

18 (2) For administration of the estate of a ward,
19 \$50, plus the fees specified in subsection (v)(3),
20 except:

21 (A) When the value of the real and personal
22 property does not exceed \$15,000, the fee shall be
23 \$25.

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

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

34 (A) For each account (other than one final

1 account) filed in the estate of a decedent, or ward,
2 \$15.

3 (B) For filing a claim in an estate when the
4 amount claimed is \$150 or more but less than \$500,
5 \$10; when the amount claimed is \$500 or more but
6 less than \$10,000, \$25; when the amount claimed is
7 \$10,000 or more, \$40; provided that the court in
8 allowing a claim may add to the amount allowed the
9 filing fee paid by the claimant.

10 (C) For filing in an estate a claim, petition,
11 or supplemental proceeding based upon an action
12 seeking equitable relief including the construction
13 or contest of a will, enforcement of a contract to
14 make a will, and proceedings involving testamentary
15 trusts or the appointment of testamentary trustees,
16 \$40.

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

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

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

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, \$30, less any amount
31 paid under subsection (v)(1)(B) or (v)(2)(B) except
32 that if the amount involved does not exceed \$5,000,
33 the fee, including any amount paid under subsection
34 (v)(1)(B) or (v)(2)(B), shall be \$10.

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

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

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

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

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

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

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

- 25 (A) Felony complaints, \$80.
- 26 (B) Misdemeanor complaints, \$50.
- 27 (C) Business offense complaints, \$50.
- 28 (D) Petty offense complaints, \$50.
- 29 (E) Minor traffic or ordinance violations,
30 \$20.
- 31 (F) When court appearance required, \$30.
- 32 (G) Motions to vacate or amend final orders,
33 \$20.
- 34 (H) Motions to vacate bond forfeiture orders,

1 \$20.

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

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

6 (K) Motions to vacate "failure to appear" or
7 "failure to comply" notices sent to the Secretary of
8 State, \$20.

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

14 (A) Minor traffic or ordinance violations,
15 \$10.

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

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

27 (x) Transcripts of Judgment.

28 For the filing of a transcript of judgment, the
29 clerk shall be entitled to the same fee as if it were the
30 commencement of new suit.

31 (y) Change of Venue.

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

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

4 (z) Tax objection complaints.

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

9 (aa) Tax Deeds.

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

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

13 (bb) Collections.

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

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

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

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

1 the clerk shall be the custodian, ex-officio, to be used
2 by the clerk to maintain child support orders and record
3 all payments issued by the State Disbursement Unit for
4 the official record of the Court. The clerk may recover
5 from the person making the maintenance or child support
6 payment any additional cost incurred in the collection of
7 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
11 Law and these fees shall also be deposited into the
12 Separate 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
17 office, to be charged against the party that filed the
18 document, \$15.

19 (dd) Exceptions.

20 The fee requirements of this Section shall not apply
21 to police departments or other law enforcement agencies.
22 In this Section, "law enforcement agency" means an agency
23 of the State or a unit of local government which is
24 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
27 or any state's attorney. The fee requirements of this
28 Section shall not apply to any action instituted under
29 subsection (b) of Section 11-31-1 of the Illinois
30 Municipal Code by a private owner or tenant of real
31 property within 1200 feet of a dangerous or unsafe
32 building seeking an order compelling the owner or owners
33 of the building to take any of the actions authorized
34 under that subsection.

1 (ee) Adoptions.

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

3 (2) Upon good cause shown, the court may waive the
4 adoption filing fee in a special needs adoption. The
5 term "special needs adoption" shall have the meaning
6 ascribed to it by the Illinois Department of Children and
7 Family Services.

8 (ff) Adoption exemptions.

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

12 (Source: P.A. 91-321, eff. 1-1-00; 91-612, eff. 10-1-99;
13 92-16, eff. 6-28-01.)