



October 20, 2020

Honorable Elgie R. Sims, Jr.

Honorable Robert Peters

Members of the Senate Criminal Law Committee and Members of the Senate Special Committee on Public Safety

On behalf of the Illinois Association of Court Clerks, we are grateful for the opportunity to provide written testimony on the subject of bail reform.

Bail reform is a conversation that has been taking place here in Illinois over the past few years as well as nationally. It is an important conversation, both as a policy question and of any potential impacts on the function of the court system. As an association we have welcomed our inclusion in this discussion and being allowed to participate with members of the legislature as well as the Governor's working group.

The office of the circuit clerk is ministerial and as such, we do not have a position on the policy of eliminating cash bail. Our role has been to provide data to lawmakers and members of the Administration regarding the financial impact of cash bond to the operation of the circuit clerks' offices as well as to county and state purposes.

Abolishing cash bail will create financial impacts in a number of areas. Counties currently use revenues generated by bond fees toward forfeitures, fines, costs and fees associated with court cases. Some revenues are used by the circuit clerks to fund court automation and document storage. Revenues are also directed to the county general fund where their use is determined by the county board. Bond fees are also paid toward restitution for crime victims.

A just and accessible court system requires adequate funding at the state, county and circuit level. As the General Assembly looks at bail reform and other criminal justice reforms, we encourage lawmakers to have a parallel discussion regarding funding of the state court system. If the General Assembly eliminates a current source of funding, we would ask that they work to identify alternatives and carefully evaluate the financial impact of any legislation of the function of our courts.

The Illinois Association of Court Clerks looks forward to working with legislators and stakeholders on this important issue.

*Holly Lemons*

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