

STATE OF ILLINOIS )  
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COUNTY OF                )

Jefferson COUNTY BOARD RESOLUTION  
**ESTABLISHING CIVIL FEES AND CRIMINAL AND TRAFFIC ASSESSMENTS  
TO BE CHARGED BY THE CLERK OF THE CIRCUIT COURT**

Res # 19 - 06-01

WHEREAS, the Illinois General Assembly passed comprehensive legislation in 2018, which completely overhauls the criminal, traffic and civil fee structures in the circuit courts throughout the State of Illinois; and

WHEREAS, the purpose of the legislation was to consolidate fees into unified schedules for all counties, to realign fees to be constitutional, and to provide for fee waivers for low income individuals; and

WHEREAS, effective July 1, 2019, Section 27.1b of the Clerks of Courts Act, 705 ILCS 105/27.1b, sets out the fees to be charged in all counties in the State of Illinois by the Clerks of the Circuit Court for the filing of pleadings and for other services provided by the Clerks in civil cases; and

WHEREAS, section 27.1b of the Clerks of Courts Act creates four schedules for civil filing fees, three schedules for civil appearances fees, and establishes various other fees that Clerks of the Circuit Court are authorized to assess in civil cases, all of which are generally classified as “not to exceed” amounts; and

WHEREAS, Section 27.1b provides that, unless otherwise specified, the amount of the fees shall be determined by ordinance or resolution of the county board and remitted to the county treasurer to be used for purposes related to the operation of the court system in the county; and

WHEREAS, effective July 1, 2019, the newly- adopted Criminal and Traffic Assessment Act, 705 ILCS 105/135 *et seq.*, sets out minimum fines to be levied and assessments to be charged in criminal and traffic cases by the Clerks of the Circuit Court in all counties in the State of Illinois; and

WHEREAS, Sections 15-5 through 15-65 of the Criminal and Traffic Assessment Act establish thirteen (13) assessment schedules for various criminal, traffic, conservations and non-traffic offenses, and for each schedule the County’s portion of the assessment is specifically listed; and

WHEREAS, Sections 15-5 through 15-65 break down how the assessment amounts are to be distributed to various County funds, if those funds are in existence; otherwise, the amounts designated for funds that are not in existence are to be placed in the County's general fund for purposes related to operation of the court system in the County.

NOW THEREFORE, BE IT RESOLVED by the County Board for the County of \_\_\_\_\_, Illinois, that any currently set Resolutions pertaining to civil filing fees and criminal assessment fees are repealed in its entirety and replaced with the following:

Sec. 1 Civil Fees and Criminal Assessments

Civil fees and criminal assessments shall meet the requirements of Section 27.1b of the Clerks of Courts Act, 705 ILCS 105-27.1b, and the Criminal and Traffic Assessment Act, 705 ILCS 105/135 *et seq.*

Sec. 2 Civil Fees

- A. Fees in civil matters shall be assessed and distributed as set forth herein, in compliance with Section 27.1b of the Clerks of Courts Act, 705 ILCS 105/27.1b.
- B. The fees for filing a complaint, petition or other pleading initiating a civil action shall be as set forth in the schedules below in accordance with case categories established by the Illinois Supreme Court:

1. **SCHEDULE 1: \$326.00** to be divided as follows:

- a. \$45.00 to be retained by the Clerk of the Circuit Court and deposited as follows:
  - i. Circuit Clerk Automation Fund \$20.00
  - ii. Document Storage Fund \$20.00
  - iii. Clerk Op & Admin Fund \$ 5.00
- b. \$11.00 to be remitted to the State Treasurer and deposited as follows:
  - i. Access to Justice Fund \$ 2.00
  - ii. Supreme Court Special Purpose Fund \$ 9.00
- c. \$250.00 to be remitted to the County Treasurer and deposited as follows:
  - i. Circuit Clerk Fees \$150.00
  - ii. Court Security Fund \$ 75.00
  - iii. Court Fund \$ 25.00
- d. \$20.00 to be remitted to the County Treasurer and deposited as follows:
  - i. Law library \$ \$20.00

**2. SCHEDULE 2: \$276.00 to be divided as follows:**

- a. \$45.00 to be retained by the Clerk of the Circuit Court and deposited as follows:
  - i. Circuit Clerk Automation Fund \$ 20.00
  - ii. Document Storage Fund \$ 20.00
  - iii. Clerk Op & Admin Fund \$ 5.00
  
- b. \$11.00 to be remitted to the State Treasurer and distributed as follows:
  - i. Access to Justice Fund \$ 2.00
  - ii. Supreme Court Special Purpose Fund \$ 9.00
  
- c. \$200.00 to be remitted to the County Treasurer and distributed as follows:
  - i. Circuit Clerk Fees \$100.00
  - ii. Court Security \$ 75.00
  - iii. Court Fund \$ 25.00
  
- d. \$20.00 to be remitted to the County Treasurer and distributed as follows:
  - i. Law Library \$20.00

**3. SCHEDULE 3: \$109.00 to be divided as follows:**

- a. \$22.00 to be retained by the Clerk of the Circuit Court and deposited as follows:
  - iv. Circuit Clerk Automation Fund \$ 10.00
  - v. Document Storage Fund \$ 10.00
  - vi. Clerk Op & Admin Fund \$ 2.00
  
- b. \$11.00 to be remitted to the State Treasurer and distributed as follows:
  - iii. Access to Justice Fund \$ 2.00
  - iv. Supreme Court Special Purpose Fund \$ 9.00
  
- c. \$56.00 to be remitted to the County Treasurer and distributed as follows:
  - i. Circuit Clerk Fees \$ 36.00
  - ii. Court Security Fund \$ 15.00
  - iii. Court Fund \$ 5.00
  
- d. \$20.00 to be remitted to the County Treasurer and distributed as follows:
  - i. Law Library \$ 20.00

**4. SCHEDULE 4: \$0.00**

C. The fees for filing an appearance in a civil action shall be as set forth in the schedules below in accordance with case categories established by the Illinois Supreme Court:

1. **SCHEDULE 1: \$201.00** to be divided as follows:

a. \$45.00 to be retained by the Clerk of the Circuit Court and distributed as follows:

i.	Circuit Clerk Automation Fund	\$ 20.00
ii.	Document Storage Fund	\$ 20.00
iii.	Clerk Op & Admin Fund	\$ 5.00

b. \$11.00 to be remitted to the State Treasurer and distributed as follows:

i.	Access to Justice Fund	\$ 2.00
ii.	Supreme Court Special Purpose Fund	\$ 9.00

c. \$125.00 to be remitted to the County Treasurer and distributed as follows:

i.	Circuit Clerk Fees	\$ 65.00
ii.	Court Security Fund	\$ 50.00
iii.	Court System Fund	\$ 10.00

d. \$20.00 to be remitted to the County Treasurer and distributed as follows:

i.	Law Library	\$ 20.00
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2. **SCHEDULE 2: \$129.00** to be divided as follows:

a. \$10.00 to be retained by the Clerk of Circuit Court and distributed as follows:

i.	Circuit Clerk Automation Fund	\$ 4.00
ii.	Document Storage Fund	\$ 4.00
iii.	Clerk Op & Admin Fund	\$ 2.00

b. \$9.00 to be remitted to the State Treasurer and distributed as follows:

i.	Supreme Court Special Purpose Fund	\$ 9.00
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c. \$90.00 to be remitted to the County Treasurer and distributed as follows:

i.	Circuit Clerk Fees	\$ 40.00
ii.	Court Security Fund	\$ 40.00
iii.	Court Fund	\$ 10.00

d. \$20.00 to be remitted to the County Treasurer and distributed as follows:

i.	Law Library	\$ 20.00
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D. Except as otherwise specifically provided, the following miscellaneous fees are to be deposited in the County General Fund to be used for purposes related to the operation of the court system in the County:

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| 1. Alias Summons or Citation   | \$ 5.00                                      |
| 2. Jury Services   | \$212.50                                     |
| 3. Change of Venue   | \$ 40.00                                     |
| 4. Petition/Motion to Vacate or Modify   |  |
| a. If filed w/in 30 days (civil)   | \$ 50.00                                     |
| b. If filed after 30 days (civil)  | \$ 75.00                                     |
| c. Notice sent to Secretary of State (TR)  | \$ 40.00                                     |
| 5. Appeal Preparation:   |  |
| a. Record is 100 pages or less   | \$ 50.00                                     |
| b. Record is 101 through 200 pages   | \$100.00                                     |
| c. Record is 201 pages or more   | \$100.00 plus<br>\$0.25 per page             |
| 6. Garnishment, Wage Deduction, and Citation Proceedings:  |  |
| a. Amount in controversy \$1,000 or less   | \$ 15.00                                     |
| b. Amount in controversy greater than \$1,000 and less than \$5,000  | \$ 30.00                                     |
| c. Amount in controversy greater than \$5,000  | \$ 50.00                                     |
| 7. Collections:  |  |
| a. All collections (except State and County and maintenance and child support cases:   | 2.5% of the amount collected and turned over |
| b. In child support and maintenance case: \$36.00 annually to be deposited in the Child Support Maintenance Fund   |  |
| c. Certifications to Secretary of State pursuant to Sections 7-703 of the Family Financial Responsibility Law:   | \$ 5.00                                      |
| d. In proceedings to foreclose a delinquent real estate tax lien the State's Attorney shall receive a fee of 10% of the total amount realized from the sale of real estate sold in the proceedings |  |
| 8. For each certified copy of judgment, following the first copy:  | \$ 10.00                                     |
| 9. Certification, Authentication, and Reproduction   |  |
| a. Each certification or authentication for taking acknowledgement of a deed or other instrument in writing with the seal of office:   | \$ 6.00                                      |
| b. Reproduction of any document contained in the Clerk's files:  |  |
| i. \$2.00 for the first page   |  |
| ii. \$0.50 for pages 2 through 20  |  |
| iii. \$0.25 for all additional pages   |  |

