

RESOLUTION 29-1

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

**WHEREAS**, Public Act 100-0987, passed by the General Assembly on June 29, 2018, and effective July 1, 2019, 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 appearance 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, conservation 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**, that the Members of the Sangamon County Board, on June 11, 2019, hereby enact the Circuit Court Clerk’s Civil and Criminal Fees and Assessments pursuant to the requirements of 705 ILCS 105/27.1b of the Clerks of the Court Act and the Criminal and Traffic Assessment Act (705 ILCS 135/1-1, *et seq.*) as follows:

**FILED**

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Sangamon County Clerk

**RECEIVED**  
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Andy Goleman  
SANGAMON COUNTY AUDITOR

**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.*

**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: \$306.00 to be divided as follows:
    - a. \$45.00 to be retained by the Clerk of the Circuit Court and deposited as follows:
      - (1) Court Automation Fund - \$20.00
      - (2) Court Document Storage Fund - \$20.00
      - (3) Circuit Court Clerk Operation and Administration Fund - \$5.00
    - b. \$11.00 to be remitted to the State Treasurer and deposited as follows:
      - (1) Access to Justice Fund - \$2.00
      - (2) Supreme Court Special Purposes Fund - \$9.00
    - c. \$250.00 to be remitted to the County Treasurer for purposes related to the operation of the court system in the county.
  - 2. SCHEDULE 2: \$256.00 to be divided as follows:
    - a. \$45.00 to be retained by the Clerk of the Circuit Court and deposited as follows:
      - (1) Court Automation Fund - \$20.00
      - (2) Court Document Storage Fund - \$20.00
      - (3) Circuit Court Clerk Operation and Administration Fund - \$5.00
    - b. \$11.00 to be remitted to the State Treasurer and deposited as follows:
      - (1) Access to Justice Fund - \$2.00
      - (2) Supreme Court Special Purposes Fund - \$9.00
    - c. \$200.00 to be remitted to the County Treasurer for purposes related to the operation of the court system in the county.
  - 3. SCHEDULE 3: \$89.00 to be divided as follows:
    - a. \$22.00 to be retained by the Clerk of the Circuit Court and deposited as follows:
      - (1) Court Automation Fund - \$10.00
      - (2) Court Document Storage Fund - \$10.00
      - (3) Circuit Court Clerk Operation and Administration Fund - \$2.00
    - b. \$11.00 to be remitted to the State Treasurer and deposited as follows:

- (1) Access to Justice Fund - \$2.00
- (2) Supreme Court Special Purposes Fund - \$9.00

c. \$56.00 to be remitted to the County Treasurer for purposes related to the operation of the court system in the county.

4. SCHEDULE 4: \$0.00

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

1. SCHEDULE 1: \$181.00 to be divided as follows:

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

- (1) Court Automation Fund - \$20.00
- (2) Court Document Storage Fund - \$20.00
- (3) Circuit Court Clerk Operation and Administration Fund - \$5.00

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

- (1) Access to Justice Fund - \$2.00
- (2) Supreme Court Special Purposes Fund - \$9.00

c. \$125.00 to be remitted to the County Treasurer for purposes related to the operation of the court system in the county.

2. SCHEDULE 2: \$109.00 to be divided as follows:

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

- (1) Court Automation Fund - \$5.00
- (2) Court Document Storage Fund - \$5.00

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

- (1) Supreme Court Special Purposes Fund - \$9.00

c. \$90.00 to be remitted to the County Treasurer for the purposes related to the operation of the court system in the county.

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:

- 1. Alias summons or citation: \$5.00
- 2. Jury services \$212.50
- 3. Change of Venue – the fee for the preparation and certification of a record on a change of venue to another jurisdiction \$40.00
- 4. Petition to vacate or modify:
  - a. Petition to Vacate or Modify any final judgment or order of court, except in forcible entry and \$50.00

detainer cases and small claims cases or a petition to reopen an estate, to modify, terminate, or enforce a judgment or order for child or spousal support, or to modify, suspend, or terminate an order for withholding, if filed before 30 days after the entry of the judgment or order

- b. Petition to Vacate or Modify any final judgment or order of court, except a petition to modify, terminate, or enforce a judgment or order for child or spousal support or to modify, suspend, or terminate an order for withholding, if filed later than 30 days after the entry of the judgment or order \$75.00
- c. Notice sent to Secretary of State: \$40.00

5. Appeals preparation:

- a. If record is 100 pages or less \$50.00
- b. If record is between 100 and 200 pages: \$100.00
- c. If record is 200 pages or more: Additional Fee of \$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 not more 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 spousal support cases: \$36 paid annually by the person ordered to pay child support and/or spousal support to be deposited in the Child Support Maintenance Fund
- c. Certifications to Secretary of State pursuant to Section 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. Mailing: \$10.00 plus the cost of postage

9. For each certified copy of a judgment: \$10.00

10. Certification, authentication, and reproduction:

- a. Each certification or authentication for taking acknowledgment 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:
  - (1) \$2.00 for the first page
  - (2) \$0.50 per page for the next 19 pages
  - (3) \$0.25 per page for all additional pages

- 11. For each record search, within a division or municipal district: \$6.00 for each year searched
- 12. For each page of hard copy print output, when case records are maintained on an automated medium: \$6.00
- 13. Performing a marriage in court: \$10.00
- 14. For filing each deed of voluntary assignment: \$20.00; for recording a deed of voluntary assignment: \$0.50 for each 100 words, not to exceed \$20.00
- 15. Expungement petition: \$60.00 and an additional fee of \$4.00 for each certified copy of an order to expunge arrest records
- 16. Probate filings:
  - a. For each account (other than one final account) filed in the estate of a decedent or ward: \$25.00
  - b. Filing a claim:
    - (1) Amount claimed greater than \$150 and not more than \$500: \$25.00
    - (2) Amount claimed greater than \$500 and not more than \$10,000: \$40.00
    - (3) Amount claimed greater than \$10,000: \$60.00
  - c. For filing a claim, petition, or supplemental proceeding based upon an action seeking equitable relief: \$60.00
  - d. For a jury demand: \$137.50
  - e. For each certified copy of letters of office, of court orders or other certifications: \$2.00 per page
  - f. For each exemplification: \$2.00 plus the \$6.00 fee for certification
  - g. There shall be no fee for filing in an estate: (i) the appearance of any person for the purpose of consent; or (ii) the appearance of an executor, administrator, administrator to collect, guardian, guardian ad litem, or special administrator.
- 17. For correction of the case number, case title, or attorney computer identification number, if required by rule of court, on any document filed in the Clerk's Office: \$25.00
- 18. Return check fee: \$25.00
- 19. Counterclaim or Third Party Complaint: When any defendant files a counterclaim or third party complaint, as part of the defendant's answer or otherwise, the defendant shall pay a filing fee for each counterclaim or third party complaint in an amount equal to the filing fee the defendant would have had to pay had the defendant brought a separate action for the relief sought in the counterclaim or third party complaint, less the amount of the appearance fee, if any, that the defendant has already paid in the action in which the counterclaim or third party complaint is filed.

E. Unpaid Fees

- 1. Unless a court ordered payment schedule is implemented or the fee requirements of this Section are waived by court order, the Clerk is authorized to add to any unpaid fees and costs a delinquency amount equal to 15% of the unpaid fees that remain unpaid after 90 days.

2. Delinquency amounts collected pursuant to this provision shall be deposited into the Circuit Court Clerk Operation and Administrative Fund to defray additional administrative costs incurred by the Clerk in collecting unpaid fees and costs.

### Criminal Assessments.

- A. Assessments shall be imposed in criminal, traffic, conservation and non-traffic matters in accordance with the schedules set forth in the Criminal and Traffic Assessment Act, 705 ILCS 135/1-5 *et seq.*, and shall be distributed as set forth herein.

- B. Schedules:

1. SCHEDULE 1: Generic Felony Offenses

- a. The Clerk shall collect \$549.00 and remit as follows:

- (1) \$354.00 shall be deposited as follows:

- (a) \$20.00 to the Court Automation Fund
- (b) \$20.00 to the Court Document Storage Fund
- (c) \$5.00 to the Circuit Court Clerk Operation and Administrative Fund
- (d) \$255.00 to the County General Fund
- (e) \$10.00 to the Children's Advocacy Center Fund
- (f) \$2.00 to the State's Attorney Records Automation Fund
- (g) \$2.00 to the Public Defender Records Automation Fund
- (h) \$20.00 to the County Jail Medical Costs Fund
- (i) \$20.00 to the Probation and Court Services Fund

- (2) \$195.00 to the State Treasurer

2. SCHEDULE 2: Felony DUI Offenses

- a. The Clerk shall collect \$1,709.00 and remit as follows:

- (1) \$399.00 shall be deposited as follows:

- (a) \$20.00 to the Court Automation Fund
- (b) \$20.00 to the Court Document Storage Fund
- (c) \$5.00 to the Circuit Court Clerk Operation and Administrative Fund
- (d) \$300.00 to the County General Fund
- (e) \$10.00 to the Children's Advocacy Center Fund
- (f) \$2.00 to the State's Attorney Records Automation Fund
- (g) \$2.00 to the Public Defender Records Automation Fund
- (h) \$20.00 to the County Jail Medical Costs Fund
- (i) \$20.00 to the Probation and Court Services Fund

- (2) \$1,110.00 to the State Treasurer

- (3) \$200.00 to the treasurer of the unit of local government of the arresting agency

3. SCHEDULE 3: Felony Drug Offenses

- a. The Clerk shall collect \$2,215.00 and remit as follows:

- (1) \$354.00 shall be deposited as follows:

- (a) \$20.00 to the Court Automation Fund
- (b) \$20.00 to the Court Document Storage Fund
- (c) \$5.00 to the Circuit Court Clerk Operation and Administrative Fund
- (d) \$255.00 to the County General Fund
- (e) \$10.00 to the Children’s Advocacy Center Fund
- (f) \$2.00 to the State’s Attorney Records Automation Fund
- (g) \$2.00 to the Public Defender Records Automation Fund
- (h) \$20.00 to the County Jail Medical Costs Fund
- (i) \$20.00 to the Probation and Court Services Fund

- (2) \$1,861.00 to the State Treasurer

4. SCHEDULE 4: Felony Sex Offenses

- a. The Clerk shall collect \$1,314.00 and remit as follows:

- (1) \$354.00 shall be deposited as follows:

- (a) \$20.00 to the Court Automation Fund
- (b) \$20.00 to the Court Document Storage Fund
- (c) \$5.00 to the Circuit Court Clerk Operation and Administrative Fund
- (d) \$255.00 to the County General Fund
- (e) \$10.00 to the Children’s Advocacy Center Fund
- (f) \$2.00 to the State’s Attorney Records Automation Fund
- (g) \$2.00 to the Public Defender Records Automation Fund
- (h) \$20.00 to the County Jail Medical Costs Fund
- (i) \$20.00 to the Probation and Court Services Fund

- (2) \$960.00 to the State Treasurer

5. SCHEDULE 5: Generic Misdemeanor Offenses

- a. The Clerk shall collect \$439.00 and remit as follows:

- (4) \$282.00 shall be deposited as follows:

- (j) \$20.00 to the Court Automation Fund
- (k) \$20.00 to the Court Document Storage Fund
- (l) \$5.00 to the Circuit Court Clerk Operation and Administrative Fund
- (m) \$8.00 to the Circuit Court Clerk Electronic Citation Fund
- (n) \$185.00 to the County General Fund
- (o) \$10.00 to the Children’s Advocacy Center Fund

- (p) \$2.00 to the State’s Attorney Records Automation Fund
- (q) \$2.00 to the Public Defender Records Automation Fund
- (r) \$10.00 to the County Jail Medical Costs Fund
- (s) \$20.00 to the Probation and Court Services Fund

(5) \$155.00 to the State Treasurer

(6) \$2.00 to the treasurer of the unit of local government of the arresting agency

6. SCHEDULE 6: Misdemeanor DUI Offenses

a. The Clerk shall collect \$1,381.00 and remit as follows:

(1) \$322.00 shall be deposited as follows:

- (a) \$20.00 to the Court Automation Fund
- (b) \$20.00 to the Court Document Storage Fund
- (c) \$5.00 to the Circuit Court Clerk Operation and Administrative Fund
- (d) \$8.00 to the Circuit Court Clerk Electronic Citation Fund
- (e) \$225.00 to the County General Fund
- (f) \$10.00 to the Children’s Advocacy Center Fund
- (g) \$2.00 to the State’s Attorney Records Automation Fund
- (h) \$2.00 to the Public Defender Records Automation Fund
- (i) \$10.00 to the County Jail Medical Costs Fund
- (j) \$20.00 to the Probation and Court Services Fund

(2) \$707.00 to the State Treasurer

(3) \$352.00 to the treasurer of the unit of local government of the arresting agency

7. SCHEDULE 7: Misdemeanor Drug Offenses

a. The Clerk shall collect \$905.00 and remit as follows:

(1) \$282.00 shall be deposited as follows:

- (a) \$20.00 to the Court Automation Fund
- (b) \$20.00 to the Court Document Storage Fund
- (c) \$5.00 to the Circuit Court Clerk Operation and Administrative Fund
- (d) \$8.00 to the Circuit Court Clerk Electronic Citation Fund
- (e) \$185.00 to the County General Fund
- (f) \$10.00 to the Children’s Advocacy Center Fund
- (g) \$2.00 to the State’s Attorney Records Automation Fund
- (h) \$2.00 to the Public Defender Records Automation Fund
- (i) \$10.00 to the County Jail Medical Costs Fund
- (j) \$20.00 to the Probation and Court Services Fund

(2) \$621.00 to the State Treasurer

(3) \$2.00 to the treasurer of the unit of local government of the arresting agency



8. SCHEDULE 8: Misdemeanor Sex Offenses

a. The Clerk shall collect \$1,184.00 and remit as follows:

- (1) \$282.00 shall be deposited as follows:
  - (a) \$20.00 to the Court Automation Fund
  - (b) \$20.00 to the Court Document Storage Fund
  - (c) \$5.00 to the Circuit Court Clerk Operation and Administrative Fund
  - (d) \$8.00 to the Circuit Court Clerk Electronic Citation Fund
  - (e) \$185.00 to the County General Fund
  - (f) \$10.00 to the Children’s Advocacy Center Fund
  - (g) \$2.00 to the State’s Attorney Records Automation Fund
  - (h) \$2.00 to the Public Defender Records Automation Fund
  - (i) \$10.00 to the County Jail Medical Costs Fund
  - (j) \$20.00 to the Probation and Court Services Fund
- (2) \$900.00 to the State Treasurer
- (3) \$2.00 to the treasurer of the unit of local government of the arresting agency

9. SCHEDULE 9: Major Traffic Offenses

a. The Clerk shall collect \$325.00 and remit as follows:

- (1) \$203.00 shall be deposited as follows:
  - (a) \$20.00 to the Court Automation Fund
  - (b) \$20.00 to the Court Document Storage Fund
  - (c) \$5.00 to the Circuit Court Clerk Operation and Administrative Fund
  - (d) \$8.00 to the Circuit Court Clerk Electronic Citation Fund
  - (e) \$150.00 to the County General Fund
- (2) \$97.00 to the State Treasurer
- (3) \$25.00 to the treasurer of the unit of local government of the arresting agency

10. SCHEDULE 10: Minor Traffic Offenses

a. The Clerk shall collect \$226.00 and remit as follows:

- (1) \$168.00 shall be deposited as follows:
  - (a) \$20.00 to the Court Automation Fund
  - (b) \$20.00 to the Court Document Storage Fund
  - (c) \$5.00 to the Circuit Court Clerk Operation and Administrative Fund
  - (d) \$8.00 to the Circuit Court Clerk Electronic Citation Fund
  - (e) \$115.00 to the County General Fund
- (2) \$46.00 to the State Treasurer

- (3) \$12.00 to the treasurer of the unit of local government of the arresting agency

11. SCHEDULE 10.5: Truck Weight and Load Offenses

- a. The Clerk shall collect \$260.00 and remit as follows:

- (1) \$168.00 shall be deposited as follows:

- (a) \$20.00 to the Court Automation Fund
- (b) \$20.00 to the Court Document Storage Fund
- (c) \$5.00 to the Circuit Court Clerk Operation and Administrative Fund
- (d) \$8.00 to the Circuit Court Clerk Electronic Citation Fund
- (e) \$115.00 to the County General Fund

- (2) \$92.00 to the State Treasurer

12. SCHEDULE 11: Conservation Offenses

- a. The Clerk shall collect \$195.00 and remit as follows:

- (1) \$168.00 shall be deposited as follows:

- (a) \$20.00 to the Court Automation Fund
- (b) \$20.00 to the Court Document Storage Fund
- (c) \$5.00 to the Circuit Court Clerk Operation and Administrative Fund
- (d) \$8.00 to the Circuit Court Clerk Electronic Citation Fund
- (e) \$115.00 to the County General Fund

- (2) \$25.00 to the State Treasurer

- (3) \$2.00 to the treasurer of the unit of local government of the arresting agency

13. SCHEDULE 12: Dispositions under Supreme Court Rule 529 (No Court Appearance Required Traffic Offenses)

- a. The Clerk shall collect \$164.00 and remit as follows:

- (1) \$100.00 shall be deposited as follows:

- (a) \$20.00 to the Court Automation Fund
- (b) \$20.00 to the Court Document Storage Fund
- (c) \$5.00 to the Circuit Court Clerk Operation and Administrative Fund
- (d) \$8.00 to the Circuit Court Clerk Electronic Citation Fund
- (e) \$47.00 to the County General Fund

- (2) \$14.00 to the State Treasurer

- (3) \$50.00 to the treasurer of the unit of local government of the arresting agency

14. SCHEDULE 13: Petty Offense, Business Offense, or Non-Traffic Ordinance Violation

a. The Clerk shall collect \$100.00 and remit as follows:

(1) \$75.00 shall be deposited as follows:

- (a) \$20.00 to the Court Automation Fund
- (b) \$20.00 to the Court Document Storage Fund
- (c) \$5.00 to the Circuit Court Clerk Operation and Administrative Fund
- (d) \$8.00 to the Circuit Court Clerk Electronic Citation Fund
- (e) \$22.00 to the County General Fund

(2) \$25.00 to the treasurer of the unit of local government of the arresting agency

C. Unpaid Assessments.

1. Unless a court ordered payment schedule is implemented or the assessment requirements of this Section are waived by court order, the Clerk is authorized to add to any unpaid assessments a delinquency amount equal to 15% of the unpaid assessments that remain unpaid after 90 days.
2. Delinquency amounts collected pursuant to this provision shall be deposited into the Circuit Court Clerk Operation and Administrative Fund to defray additional administrative costs incurred by the Clerk in collecting unpaid assessments.

To the extent any conflict exists within prior Sangamon County Ordinances and Resolutions, this Resolution shall supersede them and said prior Resolutions and Ordinances are hereby repealed and replaced to the extent such conflict exists. This Resolution shall be in full force and effect forthwith upon its adoption and approval.

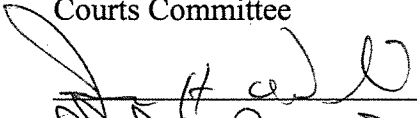
BE IT FURTHER ORDAINED, that this Resolution shall be effective on July 1, 2019.


PASSED THIS 11 day of June, 2019 AT SPRINGFIELD, LLINOIS.




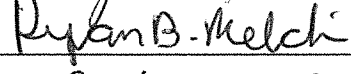
Paul Palazzolo, Circuit Clerk


Courts Committee


 , Chairman

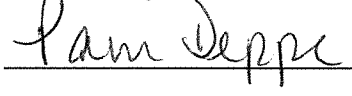
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