

PROPOSED ORDINANCE

AN ORDINANCE ESTABLISHING CIVIL FEES AND CRIMINAL AND TRAFFIC ASSESSMENTS
TO BE COLLECTED BY THE
CLERK OF THE CIRCUIT COURT COOK COUNTY

BE IT ORDAINED, by the Cook County Board for the County of Cook, that Chapter 18 Courts, Article II, Sec. 18-31 and Sect 18-43 of the Cook County Code are hereby amended; Sec. 18-32-38 and Sec. 18-40-42 and Sec. 18-44 of the Cook County Code are hereby repealed and Sec. 18-45 through Sec. 18-47 are hereby added to the Cook County Code of Ordinances.

BE IT FURTHER ORDAINED, by the Cook County Board for the County of Cook, Illinois, that Chapter 32, Fees, Sec. 32-1 of the Cook County Code is hereby amended as follows:

WHEREAS, Chapter 18 Courts, Article II, of the Cook County Code of Ordinances, sets forth the fees authorized by the Cook County Board of Commissioners to be assessed in civil and criminal cases in Cook County; and

WHEREAS, Public Acts 100-987, 100-1161, and 100-994, commonly and collectively known as the Criminal and Traffic Assessment Act, were approved by the 100th General Assembly of the Illinois State Legislature and signed into law by the Governor of the state of Illinois.

WHEREAS, The Criminal and Traffic Assessment Act represents a complete restructuring of the criminal, traffic and civil fees in the circuit courts throughout the State of Illinois; the purpose of the legislation was to consolidate fees into unified schedules throughout the State of Illinois,

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

WHEREAS, Section 27.1b of the Clerks of Courts Act creates four schedules for civil filing fees, creates three schedules for civil appearance fees, and establishes various other fees that Clerks of the Circuit Courts are authorized to assess in civil cases; 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 Criminal and Traffic Assessment Act, 705 ILCS 135 *et seq.*, establishes minimum fines and assessments to be charged in criminal and traffic cases by the Clerks of the Circuit Courts 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 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 direct the disbursement of assessment amounts to specific County Funds, if those Funds are in existence; otherwise, pursuant to Sections 15-5 through 15-65 of the Act, the amounts designated for Funds that are not in existence shall be placed in the County's General Fund for purposes related to operation of the court system in the County.

NOW THEREFORE, BE IT ORDAINED, by the Cook County Board for the County of Cook, that Chapter 18 Courts, Article II, Sec. 18-31 and Sect 18-43 of the Cook County Code are hereby amended; Sec. 18-32-38 and Sec. 18-40-42 and Sec. 18-44 of the Cook County Code are hereby repealed and Sec. 18-45 through Sec. 18-47 are hereby added to the Cook County Code of Ordinances.

BE IT FURTHER ORDAINED, by the Cook County Board for the County of Cook, Illinois, that Chapter 32, Fees, Sec. 32-1 of the Cook County Code is hereby amended as follows:

Sec. 18-31. - Statutory fees and assessments.

(a) Duty to collect statutory fees and assessments. Except as herein exempted, the Clerk of the Circuit Court of the County shall collect the fees and assessments authorized by ~~705 ILCS 105/27.2, 105/27.2a.~~ 705 ILCS 105/27.1b.

Pursuant to 705 ILCS 105/27.1b and Public Act 100-994, units of local government and school districts in the County shall not be required to pay fees and assessments under this Section in advance and the Clerk of the Circuit Court of the County shall instead send an itemized bill to the unit of local government or school district, within 30 days of the fee being incurred, and the unit of local government or school district shall be allowed at least 30 days from the date of the itemized bill to pay; these payments shall be disbursed by the Clerk of the Circuit Court of the County on a monthly basis, pursuant to 705 ILCS 105/27.1b and Public Act 100-994.

Any amount herein retained by the Clerk of the Circuit Court of the County or remitted to the County Treasurer shall be subject to appropriation by the County Board. 705 ILCS 105/27.1b.

(b) Exemption for County officials, departments and agencies. The Clerk of the Circuit Court of the County shall not collect the fees authorized by ~~705 ILCS 105/27.2, 105/27.2a~~ 705 ILCS 105/27.1b for any services provided to or on behalf of the County, its officials, departments or agencies for official purposes. Any County official, department or agency requesting services from the Clerk of the Circuit Court pursuant to this provision shall be required to indicate that the request is made for "OFFICIAL PURPOSES." The Clerk of the Circuit Court shall establish and keep a record of the fee exempt services rendered to each County official, department or agency. Such records shall be available on request, to the Chief Financial Officer of the County.

(Ord. No. 92-O-11, §§ 2, 3, 2-3-1992.)

(c) Funds. Pursuant to 705 ILCS 135/10-5(b), the County Treasurer may create the following Funds:

1. Court Automation Fund

- i. Except where the context otherwise requires, the terms, words and/or phrases used in this section shall be ascribed the same meaning as those terms defined or used by 705 ILCS 105/27.1b and 705 ILCS 135/10-5(d)(1), specifically, the Court Automation Fund is to defray the expense, borne by the County, of establishing and maintaining automated record keeping systems in the Office of the Clerk of the Circuit Court. The money shall be remitted monthly by the Clerk of the Circuit Court to the County Treasurer and identified as Funds for the Circuit Court Clerk. The Fund shall be audited by the County Auditor, and the County Board shall make expenditures from the Fund for payment of any costs related to the automation of court records, including hardware, software, research

and development costs related to the automation of court records including hardware, software, research and development costs, and personnel costs related to the foregoing, provided that the expenditure is approved by the Clerk of the Circuit Court and by the Chief Judge of the Circuit Court or his or her designee. 705 ILCS 135/10-5(d)(1).

2. Document Storage Fund

- i. Except where the context otherwise requires, the terms, words and/or phrases used in this section shall be ascribed the same meaning as those terms defined or used by 705 ILCS 135/10-5(d)(2) et seq. (Funds), specifically, the Document Storage Fund is to defray the expense, borne by the County of establishing and maintaining a document storage system and converting the records of the Clerk of the Circuit Court to electronic or micrographic storage. The money shall be remitted monthly by the Clerk of the Circuit Court to the County Treasurer and identified as funds for the Clerk of the Circuit Court of the County. The Fund shall be audited by the County Auditor, and the County Board shall make expenditure from the Document Storage Fund in payment of any cost related to the storage of court records, including hardware, software, research and development costs, and personnel costs related to the foregoing, provided that the expenditure is approved by the Clerk of the Circuit Court of the County. 705 ILCS 135/10-5(d)(2).

3. Circuit Clerk Operations and Administration Fund

- i. Except where the context otherwise requires, the terms, words and/or phrases used in this section shall be ascribed the same meaning as those terms defined or used by 705 ILCS 135/10-5(d)(3) et seq. (Funds), specifically, the Circuit Clerk Operations and Administration Fund may be used to defray the expenses incurred for collection and disbursement of the various assessment schedules. The money shall be remitted monthly by the Clerk of the Circuit Court of Cook County to the County Treasurer and identified as Funds for the Clerk of the Circuit Court of Cook County. 705 ILCS 135/10-5(d)(3).

4. State's Attorney Records Automation Fund

- i. Except where the context otherwise requires, the terms, words and/or phrases used in this section shall be ascribed the same meaning as those terms defined or used by 705 ILCS 135/10-5(d)(4) et seq. (Funds), specifically, the State's Attorney Records Automation Fund is to defray the expense of establishing and maintaining automated record keeping systems in the Cook County State's Attorney's Office. The money shall be remitted monthly by the Clerk of the Circuit Court of Cook County to the County Treasurer for deposit into the State's Attorney Records Automation Fund. Expenditures from this Fund may be made by the Cook County State's Attorney for hardware, software, and research and development related to automated record keeping systems. 705 ILCS 135/10-5(d)(4).

5. Public Defender Records Automation Fund

- i. Except where the context otherwise requires, the terms, words and/or phrases used in this section shall be ascribed the same meaning as those terms defined or used by 705 ILCS 135/10-5(d)(5) et seq. (Funds), specifically, the Public

Defender's Records Automation Fund is to defray the expense of establishing and maintaining automated record keeping systems in the Office of the Cook County Public Defender. The money shall be remitted monthly by the Clerk of the Circuit Court of Cook County to the County Treasurer for deposit into the Public Defender's Records Automation Fund. Expenditures from this Fund may be made by the Cook County Public Defender for hardware, software, and research and development related to automated record keeping systems. 705 ILCS 135/10-5(d)(5).

6. Circuit Court Clerk Electronic Citation Fund

- i. Except where the context otherwise requires, the terms, words and/or phrases used in this section shall be ascribed the same meaning as those terms defined or used by 705 ILCS 135/10-5(d)(9)et seq. (Funds), specifically, the Circuit Court Clerk Electronic Citation Fund shall have the Clerk of the Circuit Court of Cook County as the custodian, ex officio, of the Fund and shall be used to perform the duties required by the Office of the Clerk of the Circuit Court of Cook County for establishing and maintaining electronic citations. The Fund shall be audited by the County Auditor. 705 ILCS 135/10-5(d)(9).

7. Child Advocacy Center Fund

- i. Except where the context otherwise requires, the terms, words and/or phrases used in this section shall be ascribed the same meaning as those terms defined or used by 705 ILCS 135/10-5(d)(16)et seq. (Funds), specifically, the Child Advocacy Center Fund is specifically for the operation and administration of the Children's Advocacy Center, from which the county board shall make grants to support the activities and services of the Children's Advocacy Center within the County. 705 ILCS 135/10-5(d)(16).

If the County has not instituted, and does not institute a program that uses the particular Funds stated herein, the County Treasurer does not need to create the Fund and may instead deposit the money intended for the Fund into the General Fund of the County for use in financing the court system. 705 ILCS 135/10-5(b).

~~Sec. 18-32. – Court security services fee. (Repealed 55 ILCS 5/5-1103)~~

~~(a) Short title. This section shall be known and may be cited as the Cook County Court Services Fee Ordinance.~~

~~(b) Title. The fee herein imposed is in addition to all other fees or taxes imposed by the County, the State or any municipal corporation or political subdivision thereof.~~

~~(c) Fees imposed. A court services fee as set out in Section 32-1 shall be:~~

~~(1) Paid in civil cases by each party at the time of filing the first pleading, paper or other appearance; provided that no additional fee shall be required if more than one party is represented in a single pleading, paper or other appearance.~~

~~(2) Assessed in criminal, local ordinance, County ordinance, traffic, criminal domestic violence, and conservation cases against the defendant upon entering a plea of guilty, stipulation of facts or findings~~

of guilty, resulting in a judgment of conviction, or order of supervision, or sentence of probation without entry of judgment pursuant to 720 ILCS 550/10 (Cannabis Control Act – penalties for first offenders); 720 ILCS 570/410 (Controlled Substance Act – penalties for first offenders); 720 ILCS 646/70 (Methamphetamine Control and Community Protection Act – penalties for first offenders); 720 ILCS 5/12-4.3 (aggravated battery of a child); 20 ILCS 301/40-10 (Alcoholism and Other Drug Abuse and Dependency Act); or Section 10 of the Steroid Control Act, former Illinois Revised Statutes, ch. 56-1/2, par. 2310 (repealed). No court services fees shall be imposed or collected, however, in traffic, conservation, and ordinance cases in which fines are paid without a court appearance.

(d) Collection. The fees shall be collected in the manner in which all other court fees or costs are collected and shall be deposited into the County General Fund for payment solely of costs incurred by the Sheriff in providing court security or for any other court services deemed necessary by the Sheriff to provide for court security.

(Ord. No. 96-O-28, 11-22-1996; Ord. No. 08-O-19, 2-20-2008.)

~~Sec. 18-33. – Court automation fee imposed. (Repealed 705 ILCS 105/27.3a)~~

~~(a) Definitions. Except where the context otherwise requires, the terms, words and/or phrases used in this section shall be ascribed the same meaning as those terms defined or used by 705 ILCS 105/27.3a, et seq. (fees for automated record keeping).~~

~~(b) Imposed.~~

~~(1) In accordance with the provisions set forth in 705 ILCS 105/27.3a et seq. (fees for automated record keeping), a court automation fee is hereby imposed in the County. The Clerk of the Circuit Court of the County shall charge and collect a court automation fee as set out in Section 32-1 from each party in all civil cases and by the defendant in any felony, traffic misdemeanor, municipal ordinance, or conservation case upon a judgment of guilty or grant of supervision, provided that the record keeping system which processes the case category for which the fee is charged is automated or has been approved for automation by the County Board.~~

~~(2) Such fee shall be paid at the time of filing the first pleading, for all civil cases, paper or other appearance filed by each party. No additional fee shall be required if more than one party is presented in a single pleading, paper or other appearance.~~

~~(c) Collection and enforcement.~~

~~(1) In accordance with the provisions set forth in 705 ILCS 105/27.3a et seq., such court automation fee shall be charged and collected by the Clerk of the Circuit Court. Such fee shall be collected in the manner in which all other fees or costs are collected.~~

~~(2) This fee shall be in addition to all other fees and charges of such Clerk, and assessable as costs, and shall be remitted monthly by such Clerk to the County Treasurer, to be retained in a special Fund designated as the court automation Fund. The Fund shall be audited by the County Auditor, and the Board shall make expenditure from the Fund in payment of any cost related to the automation of court records, including hardware, software, research and development costs and personnel related thereto, provided that the expenditure is approved by the Clerk of the Circuit Court and by the Chief Judge of the Circuit Court or designate.~~

~~(3) This fee shall not be charged in any matter coming to any such Clerk on change of venue, nor in any proceeding to review the decision of any administrative officer, agency or body. The Clerk of the Circuit Court shall not collect the fees herein authorized from any official, department or agency of County Government where the services provided by the Clerk of the Circuit Court are for official purposes. Any County official, department or agency requesting services from the Clerk of the Circuit Court pursuant to this provision shall be required to indicate that the request is made for "Official Purposes". The Clerk of the Circuit Court shall establish and keep a record of the fee exempt services rendered to each County official, department or agency. Such records shall be available on request, to the Chief Financial Officer of the County.~~

~~(Code 1980, §§ 13-186.1—13-186.3; Ord. No. 88-O-45, 10-3-1988; Ord. No. 92-O-03, §§ 1—3, 12-11-1991; Ord. No. 92-O-15, § 1, 2-3-1992; Ord. No. 05-O-43, §§ 1—3, 9-20-2005; Ord. No. 15-5775, 11-18-2015.)~~

~~Sec. 18-34. Court Clerk document storage fee. (Repealed 705 ILCS 105/27.3c)~~

~~(a) Generally. In accordance with the provisions set forth in 705 ILCS 105/27.3c et seq. (document storage system), a document storage fee is hereby imposed in the County. The Clerk of the Circuit Court of the County shall charge and collect a document storage fee as set out in Section 32-1 from each party in all civil cases and by the defendant in any felony, traffic misdemeanor, municipal ordinance, or conservation case upon a judgment of guilty or grant of supervision, provided that the record keeping system which processes the case category for which the fee is charged is automated or has been approved for automation by the County Board. Such fee shall be paid at the time of filing the first pleading, paper or other appearance filed by each party. No additional fee shall be required if more than one party is presented in a single pleading, paper or other appearance.~~

~~(b) Definitions. Except where the context otherwise requires, the terms, words and/or phrases used in this section shall be ascribed the same meaning as those terms defined or used by 705 ILCS 105/27.3c et seq. (document storage system).~~

~~(c) Collection and enforcement. In accordance with the provisions set forth in 705 ILCS 105/27.3c et seq. (document storage system), such document storage fee shall be charged and collected by the Clerk of the Circuit Court. Such fee shall be collected in the manner in which all other fees or costs are collected. (This fee shall be in addition to all other fees and charges of such Clerk, and assessable as costs, and shall be remitted monthly by such Clerk to the County Treasurer to be retained in a special Fund designated as the "Document Storage Fund." The Fund shall be audited by the County Auditor and the Board shall make expenditure from the Fund in payment of any cost related to the automation of court records, including hardware, software, research and development costs and personnel related thereto, provided that the expenditure is approved by the Clerk of the Circuit Court. This fee shall not be charged in any matter coming to any such Clerk on change of venue, nor in any proceeding to review the decision of any administrative officer, agency or body. The Clerk of the Circuit Court shall not collect the fees herein authorized from any official, department or agency of County Government where the services provided by the Clerk of the Circuit Court are for official purposes. Any County official, department or agency requesting services from the Clerk of the Circuit Court pursuant to this provision shall be required to indicate that the request is made for "Official Purposes." The Clerk of the Circuit Court shall establish and keep a record of the fee exempt services rendered to each County official, department or agency. Such records shall be available on request, to the Chief Financial Officer of the County.~~

~~(Ord. No. 91-O-07, §§ 1-3, 1-7-1991; Ord. No. 92-O-04, §§ 1-3, 12-11-1991; Ord. No. 92-O-14, § 1, 2-3-1992; Ord. No. 05-O-44, §§ 1-3, 9-20-2005.)~~

~~Sec. 18-35. Court system. A court system fee as set out in Section 32-1 shall be: (Repealed 55 ILCS 5/5-1101)~~

~~(a) Assessed against the defendant and added to all fines imposed for traffic violation of the Illinois Vehicle Code (625 ILCS 5/1-100 et seq.), other than 625 ILCS 5/11-501 (driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof), or violations of similar provisions contained in County or municipal ordinances committed in the County, and a fee as set out in Section 32-1 to be added to all fines imposed for violation of 625 ILCS 5/11-501 (driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof), or a violation of a similar provision contained in County or municipal ordinances committed in the County. The proceeds of such fees shall be used to finance the court system of the County.~~

~~(b) Assessed against the defendant on a judgment of guilty or a grant of supervision under 730 ILCS 5/5-9-1 (Unified Code of Corrections) for a felony, Class A misdemeanor, Class B misdemeanor, Class C misdemeanor, petty offense, and for a business offense. The proceeds of such fees shall be used to finance the court system of the County.~~

~~(c) Assessed against the defendant and added to all fines imposed for the second or subsequent violations of 625 ILCS 5/11-501 (driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof), or violations of similar provisions contained in county or municipal ordinances committed in the county. The proceeds of this fee shall be placed in the County General Fund and used to finance education programs related to driving under the influence of alcohol or drugs.~~

~~(d) The fee shall be in addition to all other fines and charges assessed by the Circuit Court of the County and shall be remitted by the Clerk of the Circuit Court of the County to the County Treasurer for deposit.~~

~~(Code 1980, §§ 11-23, 11-25; Ord. No. 81-O-24, 10-19-1981; Ord. No. 88-O-14, 2-16-1988; Ord. No. 08-O-18, 2-20-2008.)~~

~~Sec. 18-36. Fee to finance Mental Health Court. (Repealed 55 ILCS 5/5-1101)~~

~~The Clerk of the Circuit Court of the County is authorized to collect a \$10.00 fee to be paid by the defendant on a judgment of guilty or a grant of supervision under Section 5-9-1 of the Unified Code of Corrections. Such fee is to be placed in the county General Fund and used to finance the County Mental Health Court.~~

~~(Ord. No. 05-O-11, 2-1-2005.)~~

~~Sec. 18-37. Fee to finance Peer or Teen Court. (Repealed 55 ILCS 5/5-1101)~~

~~(a) The Clerk of the Circuit Court of the County shall collect a mandatory fee as set out in Section 32-1 to be assessed as provided in this section. Assessments collected by the Clerk of the Circuit Court of the County pursuant to this section must be deposited into an account specifically for the operation and administration of a teen court, peer court, peer jury, youth court, or other youth diversion program. The~~

Clerk of the Circuit Court of Cook County shall collect such fees and must remit the fees to the Teen Court, Peer Court, Peer Jury, Youth Court, or other youth diversion program monthly, less five percent, which is to be retained as fee income to the Office of the Clerk of the Circuit Court of the County.

(b) The fees are to be paid as follows: A fee as set out in Section 32-1 to be paid by the defendant on a judgment of guilty or grant of supervision under Section 5-9-1 of the Unified Code of Corrections for a felony; for a Class A, Class B or Class C misdemeanor; for a petty offense; and for a business offense.

(Ord. No. 05-O-15, 3-1-2005.)

~~Sec. 18-38. — Drug court fee. (Repealed 55 ILCS 5/5-1101)~~

~~Beginning on December 1, 2006, the Clerk of the Circuit Court of Cook County shall collect a mandatory fee of \$5.00 to be assessed as provided in this section. Assessments collected by the Clerk of the Circuit Court of Cook County pursuant to this section must be deposited into an account specifically for the operation and administration of the Drug Court. The Clerk of the Circuit Court of Cook County shall collect such fees and must remit the fees to the Drug Court, less five percent, which is to be retained as fee income to the Office of the Clerk of the Circuit Court of Cook County. The fees are to be paid as follows:~~

~~(1) A fee of \$5.00 paid by the defendant on a judgment of guilty or grant of supervision for violation of the Illinois Vehicle Code or violations of similar provisions contained in County or municipal ordinances committed in the County; or~~

~~(2) A fee of \$5.00 paid by the defendant on a judgment of guilty or grant of supervision under Section 5-9-1 of the Unified Code of Corrections for a felony; for a Class A, Class B or Class C misdemeanor; for a petty offense; and for a business offense.~~

~~(3) The Clerk of the Circuit Court shall deposit the five percent retained under this section into the Circuit Court Clerk Operation and Administration Fund to be used to defray the costs of collection and disbursement of the drug court fee.~~

~~(Ord. No. 06-O-39, 10-17-2006.)~~

~~Sec. 18-39. - Operation and Administrative Fund.~~

~~Beginning on or before December 1, 2006, the Clerk of the Circuit Court of Cook County shall create a Circuit Court Clerk Operation and Administrative Fund, which shall be subject to appropriation by the Board, to be used to offset the costs incurred by the Circuit Court Clerk in performing the additional duties required to collect and disburse funds to entities of State and local government as provided by law. The Circuit Court Clerk shall be the custodian, ex officio, of this fund and shall use the fund to perform the duties required by the office. The fund shall be audited by an auditor retained by the Clerk for the purpose of conducting an annual audit. Expenditures shall be made from the fund by the Circuit Court Clerk for expenses related to the cost of collection for and disbursement to entities of State and local government.~~

~~(Ord. No. 06-O-40, 10-17-2006.)~~

~~Sec. 18-40. — Peer Court Special Revenue Fund. (Repealed 55 ILCS 5/5-1101)~~

~~Beginning on or before December 1, 2006, the Comptroller shall create a special revenue Fund to be entitled, "The Peer Court Special Revenue Fund." The Circuit Court Clerk of Cook County shall deposit the fees generated from Chapter 18, Section 18-37, into such Fund which shall only be disbursed by appropriation of the County Board to appropriate entities for the operation and administration of a teen court, peer court, peer jury, youth court or other youth diversion program within Cook County. The Judicial Advisory Council shall be responsible for the disbursement of the Funds to appropriate programs as grants subject to approval by the Board within Cook County on an annual basis.~~

~~(Ord. No. 06-O-44, 11-2-2006.)~~

~~Sec. 18-41.— Children's Advocacy Center fee.—(Repealed 55 ILCS 5/5-1101)~~

~~Beginning on January 1, 2008, the Clerk of the Circuit Court of Cook County shall collect a mandatory fee of \$30.00 to be assessed as provided in this section. Assessments shall be collected by the Clerk of the Circuit Court and must be deposited into an account specifically for the operation and administration of Children's Advocacy Centers within Cook County.~~

~~The fee is to be paid as follows:~~

~~(1) The fee shall be paid by the defendant in criminal cases on a judgment of guilty or a grant of supervision under Section 5-9-1 of the Unified Code of Corrections (730 ILCS 5) for a felony; for a Class A, Class B, or Class C misdemeanor; for a petty offense; and for a business offense, but excluding any minor traffic violations under such section.~~

~~This Ordinance shall not supersede any other Ordinance enacted by the Cook County Board of Commissioners, which establishes and sets fees to be charged for other services not previously listed and provided by the Cook County Circuit Court Clerk.~~

~~(Ord. No. 08-O-04, 12-18-2007; Ord. No. 08-O-27, 4-23-2008.)~~

~~Sec. 18-42.— Children's Waiting Room fee.—(Repealed 705 ILCS 105/27.7)~~

~~Beginning on or before February 1, 2009, the Comptroller shall create a special revenue Fund to be entitled, "The Children's Waiting Room Fund." Beginning on February 1, 2009, the Clerk of the Circuit Court of Cook County shall collect a mandatory fee of \$10.00 to be assessed as provided in this section. Assessments shall be collected by the Clerk of the Circuit Court and must be remitted monthly by the Clerk to the County Treasurer, to be retained by the Treasurer in the Children's Waiting Room Fund. Expenditure from the Fund shall be made by the County Board in payment of any cost related to the establishment and maintenance of Children's Waiting Rooms, including personnel, heat, light, telephone, security, rental of space, or any other item in connection with the operation of a Children's Waiting Room.~~

~~The fee is to be paid as follows:~~

~~(1) The fee shall be paid at the time of filing the first pleading, paper, or other appearance filed by each party in all civil cases.~~

~~(2) No additional fee shall be required if more than one party is presented in a single pleading, paper, or other appearance.~~

~~(3) The fee shall not be charged in any matter coming to the Clerk on a change of venue, nor in any proceeding to review the decision of any administrative officer, agency, or body.~~

~~This Ordinance shall not supersede any other Ordinance enacted by the Cook County Board of Commissioners, which establishes and sets fees to be charged for other services not previously listed and provided by the Cook County Circuit Court Clerk.~~

~~(Ord. No. 09-O-11, 1-13-2009.)~~

Sec. 18-43. - Special ~~r~~Revenue Funds. for the collection and disbursement of fees.

~~(a) A Special Revenue Fund for the Financing of the Mental Health Court. Upon the passage of this Ordinance, the Comptroller shall create a special revenue Fund to be entitled, "The Mental Health Special Revenue Fund." The Circuit Court Clerk of Cook County shall transmit the fees generated from Chapter 18, Section 18-36, to the Treasurer for deposit into such Fund which shall only be disbursed to appropriate entities for the operation and administration of a mental health court program within Cook County, in accordance with the terms set forth in Section 18-36.~~

~~(b) A Special Revenue Fund for the Financing of the Peer or Teen Court. Upon passage of this Ordinance, the Comptroller shall create a special revenue Fund to be entitled, "The Peer Court Special Revenue Fund." The Circuit Court Clerk of Cook County shall transmit the fees generated from Chapter 18, Section 18-37, to the Treasurer for deposit into such Fund which shall only be disbursed by appropriation of the County Board to appropriate entities for the operation and administration of a teen court, peer court, peer jury, youth court or other youth diversion program within Cook County. The Judicial Advisory Committee shall be responsible for the disbursement of the Funds to appropriate programs as grants subject to approval by the Board within Cook County on an annual basis.~~

~~(c) A Special Revenue Fund for the Financing of the Drug Court. Upon passage of this Ordinance, the Comptroller shall create a special revenue Fund to be entitled, "The Drug Court Special Revenue Fund." The Circuit Court Clerk of Cook County shall transmit the fees generated from Chapter 18, Section 18-38, to the Treasurer for deposit into such Fund which shall only be disbursed to appropriate entities for the operation and administration of a drug court program within Cook County, in accordance with the terms set forth in Section 18-38.~~

~~(d) A Special Revenue Fund for the Financing of the Children's Waiting Room-Fee. Upon passage of this Ordinance, the Comptroller shall create a special revenue Fund to be entitled, "The Children's Waiting Room Revenue Fund." The Circuit Court Clerk of Cook County shall transmit the fees generated from Chapter 18, Section 18-41, to the Treasurer for deposit into such Fund which shall only be disbursed to appropriate entities for the operation and administration of the Children's Waiting Rooms within Cook County, in accordance with the terms set forth in Section 18-41.~~

~~(Ord. No. 09-O-47, 7-21-2009.)~~

Sec. 18-44.— Circuit Court Clerk electronic citation fee. ~~(Repealed 705 ILCS 105/27.3e)~~

~~The Cook County Board of Commissioners does hereby elect not to opt out of collection of the Electronic Citation Fee as authorized by 705 ILCS 105/27.3e (PA 096-1210). If any County opts out, then the Clerk of the Circuit Court is required to remit the full mandatory fee to the State.~~

Beginning on or before January 1, 2011, the Comptroller shall create a special revenue Fund to be entitled, "The Circuit Court Clerk Electronic Citation Fund." Beginning on January 1, 2011, Public Act 096-1210 requires the Clerk of the Circuit Court of Cook County to collect a mandatory fee of \$5.00 to be assessed for Electronic Citations. Assessments shall be collected by the Clerk of the Circuit Court and remitted as required by law with 60 percent of the fee to be deposited by the Clerk of the Circuit Court into the Circuit Court Clerk Electronic Citation Fund and 40 percent to the arresting police departments to defray expenses related to the establishment and maintenance of electronic citations. The Fund shall be audited by the County's Auditor.

The fee is to be paid by the defendant in any traffic, misdemeanor, municipal ordinance, or conservation case upon a judgment of guilty or grant of supervision.

This Ordinance shall not supersede any other Ordinance enacted by the Cook County Board of Commissioners, which establishes and sets fees to be charged for other services not previously listed and provided by the Cook County Circuit Court Clerk.

(Ord. No. 11-O-01, 12-1-2010.)

Sec. 18 – 45. 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. 18 –46. Civil Fees and Assessments.

(a) Fees and assessments 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: \$366.00, except as applied to units of local government and school districts in Cook County; in such case, in accordance with the provisions of the Clerks of Courts Act, 705 ILCS 105/27.1b, the amount shall be \$190 through December 21, 2021 and \$184 on and after January 1, 2022, to be disbursed as follows:

a. \$55.00 to be retained by the Clerk of the Circuit Court and deposited as follows:

- (1) Court Automation Fund - \$25.00
- (2) Court Document Storage Fund - \$25.00
- (3) Circuit Court Clerk Operation and Administrative Fund - \$5.00

b. \$21.00 to be remitted to the State Treasurer and deposited as follows:

- (1) Mandatory Arbitration Fund - \$10.00
- (2) Access to Justice Fund - \$2.00
- (3) Supreme Court Special Purposes Fund - \$9.00

c. \$290.00, except as applied to units of local government and school districts in Cook County; in such case, in accordance with the provisions of the Clerks of Courts Act,

705 ILCS 105/27.1b, the amount shall be \$114 through December 21, 2021 and \$108 on and after January 1, 2022, to be remitted to the County Treasurer.

2. SCHEDULE 2: \$357.00, except as applied to units of local government and school districts in Cook County; in such case, in accordance with the provisions of the Clerks of Courts Act, 705 ILCS 105/27.1b, the amount shall be \$190 through December 21, 2021 and \$184 on and after January 1, 2022, to be disbursed as follows:
 - a. \$55.00 to be retained by the Clerk of the Circuit Court and deposited as follows:
 - (1) Court Automation Fund - \$25.00
 - (2) Court Document Storage Fund - \$25.00
 - (3) Circuit Court Clerk Operation and Administrative Fund - \$5.00
 - b. \$21.00 to be remitted to the State Treasurer and distributed as follows:
 - (1) Mandatory Arbitration Fund - \$10.00
 - (2) Access to Justice Fund - \$2.00
 - (3) Supreme Court Special Purposes Fund - \$9.00
 - c. \$281.00, except as applied to units of local government and school districts in Cook County; in such case, in accordance with the provisions of the Clerks of Courts Act, 705 ILCS 105/27.1b, the amount shall be \$114 through December 21, 2021 and \$108 on and after January 1, 2022, to be remitted to the County Treasurer.
 3. SCHEDULE 3: \$265.00 , except as applied to units of local government and school districts in Cook County; in such case, in accordance with the provisions of the Clerks of Courts Act, 705 ILCS 105/27.1b, the amount shall be \$190 through December 21, 2021 and \$184 on and after January 1, 2022, to be disbursed as follows:
 - a. \$55.00 to be retained by the Clerk of the Circuit Court and deposited as follows:
 - (1) Court Automation Fund - \$25.00
 - (2) Court Document Storage Fund - \$25.00
 - (3) Circuit Court Clerk Operation and Administrative Fund - \$5.00
 - b. \$11.00 to be remitted to the State Treasurer and distributed as follows:
 - (1) Access to Justice Fund - \$2.00
 - (2) Supreme Court Special Purposes Fund - \$9.00
 - c. \$199.00, except as applied to units of local government and school districts in Cook County; in such case, in accordance with the provisions of the Clerks of Courts Act, 705 ILCS 105/27.1b, the amount shall be \$114 through December 21, 2021 and \$108 on and after January 1, 2022, to be remitted to the County Treasurer.
 4. SCHEDULE 4: \$0.00
- (c) The fees for filing an appearance in a civil action shall be as set forth in the applicable schedule under this subsection in accordance with case categories established by the Illinois Supreme Court:

1. SCHEDULE 1: \$230.00, except as applied to units of local government and school districts in Cook County; in such case, in accordance with the provisions of the Clerks of Courts Act, 705 ILCS 105/27.1b, the amount shall be \$75, to be disbursed as follows:
 - a. \$50.00 to be retained by the Clerk of the Circuit Court and distributed as follows:
 - (1) Court Automation Fund - \$25.00
 - (2) Court Document Storage Fund - \$25.00
 - (3) Circuit Court Clerk Operation and Administrative Fund - \$0.00
 - b. \$21.00 to be remitted to the State Treasurer and distributed as follows:
 - (1) Mandatory Arbitration Fund - \$10.00
 - (2) Access to Justice Fund - \$2.00
 - (3) Supreme Court Special Purposes Fund - \$9.00
 - c. \$159.00, except as applied to units of local government and school districts in Cook County; in such case, in accordance with the provisions of the Clerks of Courts Act, 705 ILCS 105/27.1b, the amount shall be \$4 to be remitted to the County Treasurer.
2. SCHEDULE 2: \$130.00, except as applied to units of local government and school districts in Cook County; in such case, in accordance with the provisions of the Clerks of Courts Act, 705 ILCS 105/27.1b, the amount shall be \$75, to be disbursed as follows:
 - a. \$50.00 to be retained by the Clerk of the Circuit Court and distributed as follows:
 - (1) Court Automation Fund - \$25.00
 - (2) Court Document Storage Fund - \$25.00
 - (3) Circuit Court Clerk Operation and Administrative Fund - \$0.00
 - b. \$9.00 to be remitted to the State Treasurer and distributed as follows:
 - (1) Supreme Court Special Purposes Fund - \$9.00
 - c. \$71.00, except as applied to units of local government and school districts in Cook County; in such case, in accordance with the provisions of the Clerks of Courts Act, 705 ILCS 105/27.1b, the amount shall be \$16 to be remitted to the County Treasurer.
3. SCHEDULE 3: \$0.00

(d). 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). Except as otherwise specifically provided, pursuant to the provisions of the Clerks of Courts Act 705 ILCS 105/27.1b, the following miscellaneous fees shall be deposited into the General Fund of the County to be used for purposes related to the operation of the court system in the County:

1. Alias summons or citation: \$6.00, except as applied to units of local government and school districts in Cook County; in such case, the amount shall be \$5.
2. Jury services: \$212.50, as a fee for the services of a jury in every civil action not quasi-criminal in its nature and not a proceeding for the exercise of the right of eminent domain and in every other action wherein the right of trial by jury is or may be given by law. The jury fee shall be paid by the party demanding a jury at the time of filing the jury demand. If the fee is not paid by either party, no jury shall be called in the action or proceeding, and the action or proceeding shall be tried by the court without a jury.
3. Change of venue: The Clerk may charge a fee of \$40 for the preparation and certification of the record when transferring a change of venue record to another jurisdiction. The Clerk may charge the same filing fee as if it were the commencement of a new suit when filing a change of venue record that is transferred from another jurisdiction.
4. Petition to vacate or modify any final judgment or order:
 - a. If filed within 30 days: \$60.00, except as applied to units of local government and school districts in Cook County; in such case, the amount shall be \$50.
 - b. If filed after 30 days: \$75.00.
 - c. In a proceeding involving a motion to vacate or amend a final order, motion to vacate an ex parte judgment, judgment of forfeiture, or "failure to appear" or "failure to comply" notices sent to the Secretary of State, the fee shall equal \$40.
5. Appeals preparation:
 - a. If the record contains 100 pages or less: \$70.00
 - b. If the record contains between 100 and 200 pages: \$100.00
 - c. If the record contains 200 or more pages: Additional fee of \$0.25 per page
6. Remands: In any cases remanded to the circuit court from the Supreme Court or the appellate court for a new trial, the Clerk of the Circuit Court shall reinstate the case with either its original number or a new number. The Clerk shall not charge any new or additional fee for the reinstatement. Upon reinstatement, the Clerk shall advise the parties of the reinstatement. Parties shall have the same right to a jury trial on remand and reinstatement that they had before the appeal, and no additional or new fee or charge shall be made for a jury trial after remand.
7. Garnishment, wage deduction, and citation proceedings:
 - a. If the amount in controversy less than \$1,000: \$35.00, except as applied to units of local government and school districts in Cook County; in such case, the amount shall be \$15.
 - b. If the amount in controversy greater than \$1,000 and not more than \$5,000: \$45.00, except as applied to units of local government and school districts in Cook County; in such case, the amount shall be \$30.
 - c. If the amount in controversy greater than \$5,000: \$65.00, except as applied to units of local government and school districts in Cook County; in such case, the amount shall be \$50.
8. Debt collection. In any proceeding to collect a debt, subject to the exceptions listed in the provisions of the Clerks of Courts Act, 705 ILCS 105/27.1b, the circuit court shall order and the Clerk shall collect from each judgment debtor a fee of:

- a. \$35 if the amount in controversy in the proceeding is not more than \$1,000;
- b. \$45 if the amount in controversy in the proceeding is greater than \$1,000 and not more than \$5,000; and
- c. \$65 if the amount in controversy in the proceeding is greater than \$5,000.

9. Collections:

- a. For all collections made of others, except the State and County and except maintenance or child support cases, the Clerk may collect a fee of 2.5% of the amount collected and turned over.
- b. In child support and maintenance cases: the Clerk may collect an annual fee of \$36 annually from the person making payments, to be deposited into a Separate Maintenance and Child Support Collection Fund, of which the Clerk shall be the custodian, ex officio, to be used by the Clerk to maintain child support orders and record all payments issued by the State Disbursement Unit for the official record of the court. The Clerk may recover from the person making the maintenance or child support payment any additional cost incurred in the collection of this annual fee.
- c. The Clerk may collect a fee of \$5.00 for certifications made to the Secretary of State pursuant to Section 7-703 of the Illinois Vehicle Code, and this fee shall be deposited into the Separate Maintenance and Child Support Collection Fund.
- d. In proceedings to foreclose the lien of delinquent real estate taxes: 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. The Clerk shall collect the fee from the total amount realized from the sale of the real estate sold in the proceedings and remit to the County Treasurer to be credited to the earnings of the Office of the State's Attorney.

10. Mailing. The fee for the Clerk mailing documents: \$10.00 plus the cost of postage

11. Certified copy of a judgment. The fee for a certified copy of a judgment, after the first copy: \$10.00

12. Certification, authentication, and reproduction.

- a. The fee for each certification or authentication for taking acknowledgement of a deed or other instrument in writing with the seal of office: \$6.00
- b. The fee for 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

13. Record Search. The fee for each record search, within a division or municipal district: \$6.00 for each year searched

14. Hard Copy. For each page of hard copy print output, when case records are maintained on an automated medium: \$10.00, except as applied to units of local government and school districts in Cook County; in such case, in accordance with the provisions of the Clerks of Courts Act, 705 ILCS 105/27.1b, the amount shall be \$6

15. Index inquiry and other records. No fee shall be charged for a single plaintiff and defendant index inquiry or single case record inquiry when this request is made in person and the records are maintained in a current automated medium, and when no hard copy print output is requested. The fees to be charged for management records, multiple case records, and

multiple journal records may be specified by the Chief Judge pursuant to the guidelines for access and dissemination of information approved by the Supreme Court.

16. Performing a marriage in court: \$10.00.
17. Voluntary Assignment. The fee for filing each deed of voluntary assignment: \$20.00; for recording a deed of voluntary assignment: \$0.50 for each 100 words.
18. Expungement petition: \$60.00 for each expungement petition filed and an additional fee of \$4.00 for each certified copy of an order to expunge arrest records
19. Transcripts of judgment. For the filing of a transcript of judgment, the Clerk may collect the same fee as if it were the commencement of a new suit.
20. 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 in an estate when the amount claimed is:
 1. Greater than \$150 and not more than \$500: \$40.00
 2. Greater than \$500 and not more than \$10,000: \$55.00
 3. Greater than \$10,000: \$75.00
 - c. For filing a claim, petition, or supplemental proceeding based upon an action seeking equitable relief, including the construction or contest of a will, enforcement of a contract to make a will, and proceedings involving testamentary trusts or the appointment of testamentary trustees: \$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 fee for certification
 - g. There shall be no fee for filing in an estate:
 - a. The appearance of any person for the purpose of consent; or
 - b. The appearance of an executor, administrator to collect, guardian ad litem, or special administrator.
 - h. The executor, administrator, guardian, petitioner, or other interested person or his or her attorney shall pay the cost of publication by the Clerk directly to the newspaper.
 - i. The person on whose behalf a charge is incurred for witness, court reporter, appraiser, or other miscellaneous fees shall pay the same directly to the person entitled thereto.
 - j. The executor, administrator, guardian, petitioner, or other interested person or his or her attorney shall pay to the Clerk all postage charges incurred by the Clerk in mailing petitions, orders, notices, or other documents pursuant to the provisions of the Probate Act of 1975.
21. 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, to be charged against the party that filed the document: \$25.00
22. For any check, draft, or other bank instrument returned to the Clerk of the Circuit Court for non-sufficient Funds, account closed, or payment stopped, the Clerk shall collect a fee of \$25.

23. Interest earned on any fees collected by the Clerk shall be turned over to the County General Fund as an earning of the office.

24. Other fees. The Clerk may provide services in connection with the operation of the Clerk's office, other than those services mentioned in this section, as may be requested by the public and agreed to by the Clerk and approved by the Chief Judge. Any charges for additional services shall be as agreed to between the Clerk and the party making the request and approved by the Chief Judge.

(f). 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 5% of the unpaid fees that remain unpaid after 30 days, 10% of the unpaid fees that remain unpaid after 60 days, and 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 Clerk Operations and Administration Fund to defray additional administrative costs incurred by the Clerk in collecting unpaid fees and costs. 705 ILCS 135/5-10(e).

(g). Exceptions

(1) No fee authorized by this Section shall apply to:

(A) police departments or other law enforcement agencies. In this Section, "law enforcement agency" means: an agency of the State or agency of a unit of local government which is vested by law or ordinance with the duty to maintain public order and to enforce criminal laws or ordinances; the Attorney General; or any State's Attorney;

(B) no fee may be charged to any unit of local government or school district in connection with any action which, in whole or in part, is: (i) to enforce an ordinance; (ii) to collect a debt; or (iii) under the Administrative Review Law;

(C) any action instituted by the corporate authority of a municipality with more than 1,000,000 inhabitants under Section 11-31-1 of the Illinois Municipal Code and any action instituted under subsection (b) of Section 11-31-1 of the Illinois Municipal Code by a private owner or tenant of real property within 1,200 feet of a dangerous or unsafe building seeking an order compelling the owner or owners of the building to take any of the actions authorized under that subsection;

(D) any commitment petition or petition for an order authorizing the administration of psychotropic medication or electroconvulsive therapy under the Mental Health and Developmental Disabilities Code;

(E) a petitioner in any order of protection proceeding, including, but not limited to, fees for filing, modifying, withdrawing, certifying, or photocopying petitions for orders of protection, issuing alias summons, any related filing service, or certifying, modifying, vacating, or photocopying any orders of protection; or

(F) proceedings for the appointment of a confidential intermediary under the Adoption Act.

(2) No fee other than the filing fee contained in the applicable schedule set by the Illinois Supreme Court and the Criminal and Traffic Assessment Act shall be charged to any person in connection with an adoption proceeding;

(3) Upon good cause shown, the court may waive any fees associated with a special needs adoption. The term "special needs adoption" has the meaning provided by the Illinois Department of Children and Family Services.

Sec. 18 – 47. Criminal Assessments.

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.

A. Schedules:

1. SCHEDULE 1: Generic Felony Offenses

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

(1) \$354.00 to the County Treasurer who shall deposit the money 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 Cook County General Fund
- (e) \$10.00 to the Child 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 to the County Treasurer who shall deposit the money 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 Child 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 to the County Treasurer who shall deposit the money 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 Child 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 to the County Treasurer who shall deposit the money 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 Child 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:
 - (1) \$282.00 to the County Treasurer who shall deposit the money 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 Child 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) \$155.00 to the State Treasurer
 - (3) \$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 to the County Treasurer who shall deposit the money 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 Child 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 to the County Treasurer who shall deposit the money 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 Child 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 to the County Treasurer who shall deposit the money 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 Child 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, plus an additional assessment of \$37.00 and remit as follows:
 - (1) \$203.00 to the County Treasurer who shall deposit the money 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
 - (4) An additional assessment of \$37 to be remitted to the County Treasurer and disbursed as follows:
 - (a) Court Automation Fund \$5.00
 - (b) Court Document Storage Fund \$5.00

- (c) State's Attorney's Records Automation Fund \$2.00
- (d) Public Defenders records Automation Fund \$2.00
- (e) Probation and Court Services Fund \$10.00
- (f) County General Fund \$13.00

10. SCHEDULE 10: Minor Traffic Offenses

a. The Clerk shall collect \$226.00 plus an additional assessment of \$37.00 and remit as follows:

(1) \$168.00 to the County Treasurer who shall deposit the money 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

(4) An additional assessment of \$37 to be remitted to the County Treasurer and disbursed as follows:

- (a) Court Automation Fund \$5.00
- (b) Court Document Storage Fund \$5.00
- (c) State's Attorney's Records Automation Fund \$2.00
- (d) Public Defenders records Automation Fund \$2.00
- (e) Probation and Court Services Fund \$10.00
- (f) County General Fund \$13.00

11. SCHEDULE 10.5: Truck Weight and Load Offenses

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

(1) \$168.00 to the County Treasurer who shall deposit the money 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 to the County Treasurer who shall deposit the money 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 to the County Treasurer who shall deposit the money 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 to the County Treasurer who shall deposit the money 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 fees and costs a delinquency amount equal to 5% of the unpaid fees that remain unpaid after 30

days, 10% of the unpaid fees that remain unpaid after 60 days, and 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 Clerk Operations and Administration Fund to defray additional administrative costs incurred by the Clerk in collecting unpaid fees and costs. 705 ILCS 135/5-10(e).

BE IT FURTHER ORDAINED by the County Board for the County of Cook, Illinois, that Chapter 32, Fees, Sec. 32-1 of the Cook County Code is hereby amended as follows:

Sec. 32-1. - Fee schedule.

The fees or charges provided for or required by the below-listed sections shall be as shown below:

<i>Code Section</i>	<i>Description</i>	<i>Fees, Rates, Charges (in dollars)</i>
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CHAPTER 18, COURTS

18-32(e)	Court services fees:	25.00
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18-32(e)(1)	Criminal, local ordinance, County ordinance, major traffic, criminal domestic violence and conservation cases	15.00
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18-32(e)(2)	Enumerated offenses	15.00
	Other traffic offenses	5.00

18-33(b)(1)	Court automation fee	25.00
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18-34	Document storage fee	25.00
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18-35	Court system fee imposed on traffic violations:	
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18-35(a)	Court system fee: Violation of 625 ILCS 5/1-100 et seq. or similar County or municipal ordinance	5.00
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	Court system fee: First violation of 625 ILCS 5/11-501 (driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof), or a County or municipal provision	30.00
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18-35(b)	Court system fee: Second or subsequent violation of 625 ILCS 5/11-501 (driving while	
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	under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof), or a County or municipal provision	100.00
18-35(e)	Court system fee, to be paid upon a judgment of guilty or grant of supervision under 730 ILCS 5/5-9-1 (Unified Code of Corrections):	
	For a felony	50.00
	For a Class A misdemeanor	25.00
	For a Class B or Class C misdemeanor	15.00
	For a petty offense	10.00
	For a business offense	10.00
18-41	Children's Advocacy Center fee	30.00
18-42	Children's Waiting Room fee	10.00
18-44	Electronic Citation Fund fee	5.00
18-46	Fees for Filing a Complaint, Petition or other Pleading initiating a Civil Action	
18-46(b)	SCHEDULE 1	366.00
18-46(b)	SCHEDULE 2	357.00
18-46(b)	SCHEDULE 3	265.00
18-46(b)	SCHEDULE 4	0.00
18-46(c)	Fees for Filing an Appearance in a Civil Action	
18-46(c)	SCHEDULE 1	230.00
18-46(c)	SCHEDULE 2	130.00
18-46(c)	SCHEDULE 3	0.00
18-46(e)	Miscellaneous Fees	
18-46(e)	Alias Summons or Citation	6.00
18-46(e)	Jury Services, as described in 705 ILCS 105/27.1(b)	212.50
18-46(e)	Change of Venue, as described in 705 ILCS 105/27.1(b)	40.00
18-46(e)	Petition to Vacate or Modify	
18-46(e)	Any Judgement or Order	
18-46(e)	If filed within 30 days	60.00
18-46(e)	(Local governments or school districts)	50.00
18-46(e)	If filed after 30 days	75.00
18-46(e)	Motion to vacate or amend ex parte judgment or failure to appear notices sent to the Secretary of State	40.00
18-46(e)	Appeals Preparation	
18-46(e)	Record contains 100 pages or less	70.00

18-46(e)	Record contains between 100 and 200 Pages	100.00
18-46(e)	Record contains 200 or more pages	
18-46(e)	Additional fee, per page	0.25
18-46(e)	Garnishments, Wage Deductions and Citation Proceedings	
18-46(e)	If amount in controversy is less than \$1,000	35.00
18-46(e)	(Local governments or school districts)	15.00
18-46(e)	If amount in controversy is between \$1,000 and not more than \$5,000	45.00
18-46(e)	(Local governments or school districts)	30.00
18-46(e)	If amount in controversy is greater than \$5,000	65.00
18-46(e)	(Local governments or school districts)	50.00
18-46(e)	Debt Collection	
18-46(e)	Amount in controversy less than \$1,000	35.00
18-46(e)	Amount in controversy is between \$1,000 and not more than \$5,000	45.00
18-46(e)	Amount in controversy is greater than \$5,000	65.00
18-46(e)	Collections	
18-46(e)	Child Support and Maintenance, annually	36.00
18-46(e)	Certifications made to Secretary of State, pursuant to Section 7-703 of the Illinois Vehicle Code	5.00
18-46(e)	Mailing	
	Mailing, plus the cost of postage	10.00
18-46(e)	Certified copy of a judgement, after the first copy	10.00
18-46(e)	Certification, authentication, and reproduction	
18-46(e)	Certification or authentication for taking acknowledgement of a deed or other instrument in writing with the seal of office	6.00
18-46(e)	Reproduction of any document contained in in the Clerk's files	
18-46(e)	First Page	2.00
18-46(e)	Per page for next 19 pages	0.50
18-46(e)	Per page, additional pages	0.25
18-46(e)	Record Search	
18-46(e)	For each year searched	6.00
18-46(e)	Hard Copy	
18-46(e)	Each page of output, when case records are Maintained on an automated medium	10.00
18-46(e)	(Local governments or school districts)	6.00
18-46(e)	Performing a marriage in court	10.00
18-46(e)	Voluntary Assignment	
18-46(e)	Filing each deed of voluntary assignment	20.00
18-46(e)	Recording a deed of voluntary assignment	
18-46(e)	For each 100 words	0.50
18-46(e)	Expungement petition	
18-46(e)	Filing, per petition	60.00
18-46(e)	Certified copy of an order to expunge arrest	

	records	4.00
18-46(e)	Probate filings	
18-46(e)	Each account filed in the estate of decedent or ward	25.00
18-46(e)	Filing a claim in an estate	
18-46(e)	Claim is greater than \$150 not more than \$500	40.00
18-46(e)	Claim is greater than \$500 not more than \$10,000	55.00
18-46(e)	Claim is greater than \$10,000	75.00
18-46(e)	Claim, petition or supplemental petition for equitable relief as described in 705 ILCS 105/27.1(b)	60.00
18-46(e)	Jury demand	137.50
18-46(e)	Certified copy of letters of office, court orders, or other certifications	
18-46(e)	Per page	2.00
18-46(e)	Exemplification	
18-46(e)	Exemplification plus fee for certification	2.00
18-46(e)	Correction of case number, case title, as described in 705 ILCS 105/27.1(b)	25.00
18-46(e)	Check, draft, or bank instrument NSF, account closed, or stopped payment	25.00
18-47	Criminal Assessments	
18-47(A)	SCHEDULE 1	549.00
18-47(A)	SCHEDULE 2	1,709.00
18-47(A)	SCHEDULE 3	2215.00
18-47(A)	SCHEDULE 4	1314.00
18-47(A)	SCHEDULE 5	439.00
18-47(A)	SCHEDULE 6	1381.00
18-47(A)	SCHEDULE 7	905.00
18-47(A)	SCHEDULE 8	1184.00
18-47(A)	SCHEDULE 9	325.00
	Additional assessment	37.00
18-47(A)	SCHEDULE 10	226.00
	Additional assessment	37.00
18-47(A)	SCHEDULE 10.5	260.00
18-47(A)	SCHEDULE 11	195.00
18-47(A)	SCHEDULE 12	164.00
18-47(A)	SCHEDULE 13	100.00

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

BE IT FURTHER ORDAINED, that the Clerk of the County Board is hereby authorized and directed to prepare and deliver certified copies of this Ordinance to the Clerk of the Circuit Court of Cook County and the Chief Judge of the Circuit Court of Cook County.

Respectfully submitted,

**OFFICE OF THE CLERK OF THE CIRCUIT COURT OF
COOK COUNTY**

APPROVED and adopted this _____ day of _____, 2019 by the County
Board of the County of Cook, Illinois.

Chairman of the County Board
of the County of Cook, Illinois