

Exhibit 1B

Updated Schedule Related to Exhibit 1A, Letter dated January 20, 2011

2011 Information	2017 Updates & Comments	Fiscal Impact
<p>State's Attorney</p> <ul style="list-style-type: none"> • 15 State's Attorney fees have not increased since 1991 for counties with population in excess of 3 million. 55 ILCS 5/4-2002.1. • On July 22, 2010, the fee for municipal prosecutors was increased, but State's Attorney fees were not increased. • On January 1, 2010, a sentence was added that State's Attorneys are entitled to \$10 of the additional fine to fund juvenile records. 	<ul style="list-style-type: none"> • The 15 State's Attorney's fees identified in 2011 as unchanged since 1991 remain the same. • The municipal prosecutors' fee remains unchanged. • The \$10 State's Attorneys remains unchanged. 	<p>See Exhibit 3 (Schedule B). Included in the recommendation for legislation that will permit the County board to adjust fees based on the inflation rate.</p>
<p>Recorder of Deeds</p> <ul style="list-style-type: none"> • 8 fees have not been increased since before 1989, including the 420 fee for recording of deeds and other instruments. 55 ILCS 5/4-12002. • On July 1, 2005, a Rental Housing Support Program State surcharge was added, \$1 of which is retained by the County. • On June 1, 2004, a fee for non-certified copies of records was added. Which is retained by the County. 	<ul style="list-style-type: none"> • The 8 Recorder fees remain unchanged. • In 2013 the Rental Program \$1 was eliminated.¹ • In 2013, a new fee of \$1 was added.² 	<p>See Exhibit 3 (Schedule D). Included in the recommendation for legislation that will permit the County board to adjust fees based on the inflation rate.</p>

¹ The recorder shall collect a \$9 Rental Housing Support Program State surcharge for the recordation of any real estate-related document.

<http://www.ilga.gov/legislation/ilcs/fulltext.asp?DocName=005500050K4-12002> (Accessed 10/18/2017).

² The amending language is as follows:

For recording any document that affects an interest in real property other than documents which solely affect or relate to an easement for water, sewer, electricity, gas, telephone or other public service, the recorder shall charge a fee of \$1 per document to all filers of documents not filed by any State agency, any unit of local government, or any school district. Fifty cents of the \$1 fee hereby established shall be deposited into the County General Revenue Fund. The remaining \$0.50 shall be deposited into the County Recorder Document Storage System Fund and may not be appropriated or expended for any other purpose. The additional amounts available to the recorder for expenditure from the County Recorder Document Storage System Fund shall not offset or reduce any other county appropriations or funding for the office of the recorder.

<http://www.ilga.gov/legislation/ilcs/documents/005500050K4-12002.htm> (Accessed 10/17/2017).

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<p>County Clerk</p> <ul style="list-style-type: none"> • 39 of 40 fees for the County Clerk have not increased since January 1, 1992. 55 ILCS 5/4-12003. • On January 29, 2008, the marriage fee was increased by \$5, which is distributed to a State fund. 	<ul style="list-style-type: none"> • 39 of the 40 fees for the County Clerk remain unchanged. • In 2017, the marriage fee increased again to \$60.00.³ • The statute provides that the marriage license application fee in Cook County could be up to \$75.00.⁴ 	<p>See Exhibit 3 (Schedule B). Included in the recommendation for legislation that will permit the County board to adjust fees based on the inflation rate. The marriage fee projected increase to \$75 from \$60 (See Exhibit 4):</p> <ul style="list-style-type: none"> • \$19,680
<p>Clerk of the Circuit Court of Cook County</p> <ul style="list-style-type: none"> • The fees for the Clerk of the Circuit Clerk of Cook County were last increased on June 1, 2002 at my request, and proposed by then-President John Stroger. 705 ILCS 105/27.2a. 	<ul style="list-style-type: none"> • Unchanged. The Clerk's fees have not increased since 2002. 	<p>See Exhibit 3 (Schedule D). Included in the recommendation for legislation that will permit the County board to adjust fees based on the inflation rate.</p>

³ County Clerk's website indicates fee was recently increased to \$60.00.
<http://www.cookcountyclerk.com/vitalrecords/Pages/default.aspx> (Accessed 10/17/2017).

⁴ \$75.00 fee authorized by statute. 55 ILCS 5/4-12003.
<http://www.ilga.gov/legislation/ilcs/ilcs4.asp?ActID=750&ChapterID=12&SeqStart=55500000&SeqEnd=72900000>
(Accessed 10/17/2017).

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<p>Sheriff</p> <ul style="list-style-type: none"> • 36 of the Sherriff's fees were increased on January 1, 1992 and again on June 1, 2007. 55 ILCS 5/4-12001. • In February 2008, a Cook county ordinance suggested by the office of the Clerk of the Circuit Court of Cook County allowed a \$25 court security services fess to be collected in cook County on civil cases. Cook County Code of Ordinances, Section 18-32, Ord. No. 08-O-19, 2-20-2008. Although the county security services fee in criminal and traffic cases is also permitted by statute to be set at \$25, the County Board has set these fees at amounts lower than the permitted \$25 (\$15 and \$5). Therefore, there is room for these fees to be increased without any change to State law. Cook County Ordinance, Sections 18-32 and 32-1, Chapter 18. • The \$25 court security services fee has not been increased by the State Legislature since December 1, 2003. 55 ILCS 5/5-1103. 	<ul style="list-style-type: none"> • 3 of the 36 Sheriff's fees are decreasing on January 1, 2018.⁵ • The Sherriff's court security fees for criminal and traffic increased to \$25.00⁶ 	<p>See Exhibit 3 (Schedule B). The Court Service fee projected increase to \$30 from \$25.</p> <ul style="list-style-type: none"> • \$1,553,924

⁵<http://www.ilga.gov/legislation/ilcs/ilcs4.asp?DocName=005500050HDiv%2E+4%2D12&ActID=750&ChapterID=12&SeqStart=55300000&SeqEnd=55900000>

⁶ <http://www.ilga.gov/legislation/ilcs/documents/005500050K5-1103.htm>

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<p>Public Defender</p> <ul style="list-style-type: none"> Constitutionally, people must be represented by a Public Defender or other court-appointed counsel if they cannot afford an attorney. However, we feel that although everyone should be provided court-appointed counsel, at a minimum, the Public Defender could receive the bond money as opposed to it being returned to the defendant, and whatever the court would otherwise assess for a court-appointed counsel. Therefore, we propose changes to the Public Defender statutes that would significantly increase County General Fund revenue by requiring existing fees for court-appointed counsel to be applied to Public Defenders. At present, the public Defender statutes prohibit Public Defenders from receiving any fee whatsoever from the defendant for their services. We are proposing that the statute be amended as suggested in the attached document, which would allow existing fees for court appointed counsel to also be applied to Public Defenders.⁷ 	<ul style="list-style-type: none"> Proposal to modify statute to allow collection in certain cases. Public Defender has started to collect fees in certain cases 	<p>Not Applicable</p>

⁷ 55 ILCS 5/3-4006 and 5/3-4007; 725 ILCS 5/113-3; 725 ILCS 5/113-3.1. See e.g., *People v. Kelleher*, 116 Ill. App. 3d 186 (4th Dist. 1983) (state recoupment statutes for court-appointed counsel are constitutional when defendant is given a hearing, when geared toward defendant's ability to pay, tailored to impose an obligation only upon those with a foreseeable ability to meet it, and to enforce that obligation only against those who actually become able to meet it without hardship).

2011 Information	2017 Updates & Comments	Fiscal Impact
Proposed Legislative Amendments		
<p>Counties Code</p> <ul style="list-style-type: none"> • Expand additional \$5 “fee to finance court system” at time all civil cases filed to all counties. Right now restricted to those of \$1 million or less. • Expand Collection of \$30 fee on judgment of guilty or grant of supervision for reckless driving or aggravated reckless driving. 	<ul style="list-style-type: none"> • The recommendation to charge a \$5 fee in Cook on all civil cases filed and expansion of \$30 fee on judgment of guilty or grant of supervision for reckless driving or aggravated reckless driving remain valid and would increase revenue 	<p>See Exhibit 3 (Schedule B) The Finance the court system will generate additional in revenue \$1,116,895</p> <p>See Exhibit 3 (Schedule B) The reckless driving will generate additional in revenue.</p> <ul style="list-style-type: none"> • \$450,000

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<p>Civil Indigent Person</p> <ul style="list-style-type: none"> Suggests more rigorous vetting for fee waivers as well as penalties for petitioners and lawyers who game the system to get fees waived. 	<ul style="list-style-type: none"> Since the 2011 Letter, there has been much consideration of this issue. It is generally now accepted that recipients of various forms of public benefits are already rigorously vetted and it is considered appropriate and efficient to rely upon determinations made by other agencies in this regard.⁸ The issue of lawyers otherwise gaming the system to get fees waived but otherwise accepting attorney fees might be something worth considering, so long as it does not otherwise pose a further impediment to those with the most limited means obtaining counsel.⁹ 	<p>See Exhibit 3(Schedule C). The judges waived estimated total amount fees and fines is See</p> <ul style="list-style-type: none"> \$4,528,000

⁸ A recent discussion of this issue can be found on the Illinois Courts website, as follows:

According to 735 ILCS 5/5-105 (a)(2)(i), litigants who receive one or more means-based public benefit (SSI, AABD, TANF, SNAP, General Assistance, Transitional Assistance or State Children & Family Assistance) are considered indigent and presumed eligible for a fee waiver. The specific eligibility requirements and application procedures vary by program, but all require rigorous screening and regular recertification. Many public benefits recipients work or own property but still live in or near poverty due to low wages, irregular work schedules, household dependents, or declining property values.

By relying on the public benefits eligibility determination, courts can reduce the administrative burden on judges and court staff; reduce redundancy for litigants who have already gone through screening; improve statewide consistency; and avoid the appearance of bias by providing objective criteria. Utilizing public benefits removes subjective criteria or assumptions based on an applicant's appearance (e.g., clothing brand, hairstyle), possessions (e.g., iPhone, car), or demeanor.

-Justice Corner, Illinois Supreme Court Commission on Access to Justice Court Guidance and Training Committee.

http://www.illinoiscourts.gov/Media/enews/2017/092717_Justice_Corner.asp (accessed 10/18/2017).

⁹ It might be difficult to manage a process to recover these kind of fees.

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<p>Deposit of Bail Security (D-Bond).</p> <ul style="list-style-type: none"> Suggests increase of amount Clerk retains from 10% to 30%. 	<ul style="list-style-type: none"> The 10% remains unchanged from 2011. However, in 2016 Cook County was restricted from keeping more than \$100; while all other counties keep all 10%. 	<p>See Exhibit 3 (Schedule B). This legislative action will generate increase of revenue of the following amount: \$1,430,156</p>
<p>Cash, Stocks, Bonds & Real Estate for Bail (C-Bond)</p> <ul style="list-style-type: none"> Suggests changes to allow the Clerk to recoup the administrative costs of handling such deposits: 10% of cash bond upon return; and a document storage fee for all other forms of security (then a \$15 fee). 	<ul style="list-style-type: none"> The current version has been around since 1997. It is a valid point that the Clerk should recoup 10% for the administrative handling of these deposits and refunds. Regarding the other forms of security, we should consider whether non-cash forms of bond are increasing and whether the costs of dealing with them may require more than a \$25 fee. We are not collecting anything now, so either idea would generate revenue. 	<p>See Exhibit 3 (Schedule B). This legislative action will generate increase of revenue of:</p> <ul style="list-style-type: none"> \$16,003
<p>Clerks of Courts Act.</p> <ul style="list-style-type: none"> Proposal to increase processing fee for any document filed that does not already draw a fee from \$1 to \$5. Notes similarity to an existing fee for \$0.50 for each paper filed already allowed by statute. 	<p>This proposal has not been done. It is worthwhile looking into.</p>	<p>See Exhibit 3 (Schedule B). The projected administrative fee of \$5 will have a projected revenue of</p> <ul style="list-style-type: none"> \$5,000,000

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<p>Neutral Site Custody Exchange Funding Act.</p> <ul style="list-style-type: none"> • Currently does not generate revenue; proposes 2% of the \$1-\$8 fee be used to offset administrative costs incurred by Clerk to distribute the fee. • Noted that there was no Ordinance requiring the collection of the fee which would go to those not-for-profits that currently provide this service to the court for free. • Notes adding a 2% service charge to reimburse the Clerk for collecting and distributing this fee. 	<ul style="list-style-type: none"> • This is an item we should pursue to recapture our costs and aid the collection of these important funds for not-for-profits. • No Neutral sites at this time. 	<p>Not Applicable</p>
<ul style="list-style-type: none"> • Counties Code (mental health court fee, peer jury fee, children’s advocacy center fee), and to the roadside Memorial Fund and DUI Analysis Fee. • Adding small portions of existing fees to offset Clerk’s administrative expenses. Notes Clerk collects and distributes these fees without any reimbursement for administrative costs, unlike other statues where the Clerk is reimbursed for such expenses. 	<ul style="list-style-type: none"> • Proposal still valid. A good idea to seek portions of these existing fees to capture administrative costs. Perhaps there can be a “catch-all” provision that essentially authorizes a minimum administrative costs recapture from any fee collected where statutes and ordinances are otherwise silent on the subject. 	<p>See Exhibit 3 (Schedule B). The increase of \$5 administrative fee will generate revenue.</p> <ul style="list-style-type: none"> • \$489,690

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<p>Appearance Fees in Supplemental Proceedings.</p> <ul style="list-style-type: none"> Proposes elimination of statutory provisions that allow Appearances in supplemental proceedings to be filed with no fee, even though this action generates the same work required of any appearance filed. 755 ILCS 5/12-716(b) and 755 ILCS 5/12-814(b), Ill. R. Cir. Ct. Cook Co., R 1.3(b). 	<ul style="list-style-type: none"> It is worthwhile to pursue modifying the statute to require people cited in supplementary proceedings to file and pay an appearance fee. 	<p>Still Applicable. Still researching revenue data.</p>
<ul style="list-style-type: none"> Proposal to Work with Judiciary Regarding Assessment of Fees for Each Count for convictions or Guilty Pleas in Criminal and Traffic Cases. Notes that this is already being done in DuPage County and other Illinois counties. 	<ul style="list-style-type: none"> Not feasible. DuPage is no longer collecting fees per charge, they are collecting fees per case pursuant to <i>People v. Martino</i>, 2012 IL App (2d) 101244. 	<p>Not Applicable</p>
<p>Cook County Library Fee.</p> <ul style="list-style-type: none"> Notes statute authorizes a fee up to \$21 where Cook County ordinance had then set the fee at \$18. 	<ul style="list-style-type: none"> Currently set at \$21.¹⁰ An increase would be warranted for the increasing technological demands as well as assistance they will need to provide to self-represented litigants because of the mandate for mandatory e-filing on 1/1/18. 	<p>See Exhibit 3 (Schedule B). The projected fee increase is to \$25 from \$21</p> <ul style="list-style-type: none"> \$896,282

¹⁰ https://library.municode.com/il/cook_county/codes/code_of_ordinances?nodeId=PTIGEOR_CH32FE (Accessed 10/19/2017).

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<p>Adjust Fees for Inflation.</p> <ul style="list-style-type: none"> Requests President to consider proposing legislation to increase fees for State's Attorney, Recorder of Deeds, County Clerk, Clerk of the Circuit Court, Sheriff, and Public Defender to adjust for inflation. 	<ul style="list-style-type: none"> Consider whether any such adjustment could be set in legislation and ordinances so that adjustments for inflation or the like are adjusted on a regular basis (perhaps annually) and by a uniform and approved formula so that fees continue to adjust over time and in line with current economic conditions. 	<p>See Exhibit 3 (Schedule D). This projection is a 2.5% inflation increase.</p> <ul style="list-style-type: none"> \$5,676,854

Additional Proposals:

- Expansion of the Circuit Court rule which permits for the reimbursement for fee waivers in Domestic Relations cases, where the petitioner or respondent receives a cash settlement in a case, to all civil cases.
- Issuance of a General Administrative Court order for all judges to deduct court costs and fines from bonds before the client can use the funds to pay attorneys.
- The future. As we progress, it might be important to start thinking about how to monetize the technology (data) aspects of our Office. To the extent the Clerk's Office might be in a unique position regarding its data and documents, areas to explore might include:
 - Enhancing historical and genealogical resources for fees.
 - Statistical data that might already be used by a variety of parties analyzing data on lawsuits, parties, credit risks and the like.
 - Legal cases, memorandum & forms. Westlaw and other providers of legal research, not all of which charge a fee, access the Clerk's data. Perhaps there are additional avenues to produce revenue streams from this important resource.
 - Because of the importance of its data, the Clerk's Office might be in a prime position to consider partnering with technology companies who might give tremendous support to future initiatives as part of the process.