



OFFICE OF THE CLERK OF THE CIRCUIT COURT OF COOK COUNTY

August 16, 2012

Honorable Timothy C. Evans  
Chief Judge  
First Judicial District, State of Illinois  
Richard J. Daley Center  
Room 2600  
Chicago, IL 60602

Re: Fee Waivers to News Media


Dear Judge Evans:

It has come to our attention that fee waivers have been recently granted to the news media submitting bulk data requests to your office, and then, upon your approval, forwarded to the Clerk's Office for processing and compiling. As you know, a significant amount of work is performed by the Clerk's Office staff when generating the data necessary to respond to the bulk data requests and compiling that data. Pursuant to the Cook County Bulk Electronic Data Dissemination Policy, fees are calculated by the Clerk's Office and assessed before the work is done.

In light of the recent fee waivers, I am requesting that, in order to remain equitable to all those who submit bulk data requests and to generate the fees that are necessary to support the process of responding to those very bulk data requests, that in the future fee waivers are granted only in extreme circumstances.

Thank you for your consideration.

Very truly yours,

  
Dorothy Brown  
Clerk of the Circuit Court of Cook County

cc: Eduna Wilks, Chief of Staff  
~~John Chatz, Executive Clerk for Court Operations and Administration~~  
Yvonne Davila, Associate Clerk for Public Information

MEETING WITH HONORABLE CHIEF JUDGE TIMOTHY EVANS

January 25, 2017 – 2 p.m.

AGENDA

- I. Items Pending Chief Judge Approval
  - A. e-Court Room Locations [Markham, Daley Center, 26<sup>th</sup> and California (Dell e-Court room)] – NEED COURTROOM NUMBERS
  - B. Remote Access to Images (Attorneys of Record Images/All Cases)
    1. Attorneys of Record Cases – NEED GENERAL ORDER (Doc. 1)
    2. Registered Attorneys – All Cases – NEED SIGN-OFF ON LETTER OF REQUEST TO MIKE TARDY FOR VARIANCE (Doc. 2)
  - C. General Order 6.2 (Numbering of Actions) (Doc. 3)
- II. Customer Service Center for Pro Se to eFile
- III. Training and Information for Judges
  - A. IDMS Training for Judges
- IV. District 6 – Cancellation of Outcalls and Establishment of New Civil and Felony Courtrooms
- V. Civil Case – Mandatory eFiling January 1, 2018; Electronic Process for Drafting, Reviewing and Signing Court Orders in Courtroom
- VI. Plan to Change 298 Procedures By January 1, 2017
- VII. eRecord Application (add per August eRecord status meeting with Clerk Brown)
- VIII. Bulk Data Dissemination/Media Requests (Clerk Brown wants to address the issue of fees: Ask Chief Judge Evans not to waive as often, or, if waived, only waive 50% of the fee so that we collect something for the time spent filling these requests. We have copies of actual requests, if needed.) (Doc. 4)
- IX. MFC Order (Per Chief Judge Evans' approval, this is in use in misdemeanor Traffic. Clerk Brown wants to request that the order be expanded to include major – felony – Traffic cases.) – Attachment is the order used in misdemeanor Traffic; if used for major Traffic ~~cases, fees, etc. will be revised.~~ (Doc. 5)

**From General Counsel:**

- X. Amend eFiling GAO to include case types currently permitted by AOIC, but not included on GAO (Doc. 6)
- XI. Mandatory eAppeal – Need a liaison to assist with expediting entry of GAO's requiring attorneys to prepare files as required by AOIC standards.
- XII. Request GAO authorizing deduction of Fines, Fees and Costs prior to paying out on cash bond refunds.
- XIII. Other
  - A. Lawndale Community Court
  - B. CourTools
  - C. Lecterns for Courtrooms (Doc. 7)
  - D. Customer Service Signs – Courtrooms (Doc. 8)
- XIV. MacArthur Foundation Project
- XV. Other Comments/Suggestions

DRAFT

September 21, 2016

Honorable Timothy C. Evans  
Chief Judge  
Circuit Court of Cook County  
2600 Richard J. Daley Center  
Chicago, Illinois 60602

Dear Chief Judge Evans:

In an effort to save costs and due to budgetary constraints, the Office of the Clerk of the Circuit Court of Cook County ("Clerk's Office") has strengthened our charging and collection efforts in charging all news media applicable Clerk's Office fees, including fees for copies of court files.

In order to standardize collection of statutory fees charged and collected by news media outlets throughout the court system, we are requesting your consideration in allowing the media to be charged and our office to collect fees for media bulk data requests.

The Office of the Chief Judge's practice of waiving bulk data request fees incurred by new media outlets has cost the Office of the Clerk of the Circuit Court \$157,600 in waived media bulk data request fees for Fiscal year 2015.

We humbly request your consideration because members of the news media are not exempt from copying, record search, certification, and other fees required under the Clerks of Courts Act.

The news media are on equal footing with other members of the public with respect to the payment of court fees and access to court records. 705 ILCS 105/27.2a; see e.g. Houchins v. KOED, Inc., 438 U.S. 1 (1978); Saxbe v. Washington Post Co., 417 U.S. 843, 850 (1974).

In June 2010, the Clerk's Office's Public Affairs Department sent letters to media outlets informing them of our statutory duty to charge them fees under the Clerks of Courts Act, including copying fees. This letter included information concerning the billing process offered by the Clerk's Office's Accounting Department, and stated that the news media will be charged onsite and asked to pay if no billing arrangements have been made.

Since that time, we have had a tremendous and cooperative response from media outlets with regard to paying for copying and record search fees.

We are requesting that the media be charged fees for media bulk data requests as well.

Pursuant to state law (705 ILCS 105/27.2a (r)), the Clerk's Office is required to charge fees, including fees for other services requested by the public and not specifically mentioned in the Clerks of Courts Act.

The Clerk's Office cannot waive these fees without a court order or unless the agency requesting our services is exempted by statute. Due to the fact that news media are not exempted by statute from paying fees, we must collect all fees where applicable.

If you have any questions, please contact General Counsel Kelly Smeltzer at (312) 603-6946 or Chief Financial Officer Richard Abrams at 312-603-5044. Thank you.

Very truly yours,

Dorothy Brown  
Clerk of the Circuit Court of Cook County

cc: Richard Abrams, Chief Financial Officer  
Kelly Smeltzer, General Counsel

DB: gal