

RESOLUTION INCREASING CIRCUIT CLERK'S FEES

(#19-31)

WHEREAS, Public Act 100-0987 passed by the General Assembly on June 29, 2018, and approved August 20, 2018 effective July 1, 2019 repeals 705 ILCS 105/27.1a and creates 705 ILCS 105/27.1b establishing the amounts of the Clerk of the Circuit Court fees; and

WHEREAS, Public Act 100-0987 enabled the County Board to establish and fix the Clerk of the Circuit Court fees by Resolution and in accordance with the provisions of Public Act 100-0987; and

WHEREAS, the effective date of the Circuit Court Clerk fees shall be July 1, 2019 as provided by Public Act 100-0987.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Marshall County, in regular meeting assembled, as follows:

1. That the Circuit Court Clerk fees for Marshall County Circuit Clerk, Tenth Judicial Circuit, shall be as follows:

(705 ILCS 105/27.1b)

(a) Civil Cases.

The fee for filing a complaint, petition, or other pleading initiating a civil action shall be as set forth in the applicable schedule under this subsection in accordance with case categories established by the Supreme Court in schedules.

(1) SCHEDULE 1: not to exceed \$316, the shall be **\$306.00**. The fees collected under this schedule shall be disbursed as follows:

(A) The clerk shall retain a sum, in an amount not to exceed \$45.00 determined by the clerk with the approval of the Supreme Court, to be used for court automation, court document storage, and administrative purposes.

(B) The clerk shall remit up to \$21 to the State Treasurer. The State Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions.

(C) The clerk shall remit a sum to the County Treasurer in the amount of **\$250.00** for the purposes related to the operation of the court system in the county.

(2) SCHEDULE 2: not to exceed \$266, the fee shall be **\$256.00**. The fees collected under this schedule shall be disbursed as follows:

(A) The clerk shall retain a sum, in an amount not to exceed \$45.00 determined by the clerk with the approval of the Supreme Court, to be used for court automation, court document storage, and administrative purposes.

(B) The clerk shall remit up to \$21 to the State Treasurer. The State Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions.

(C) The clerk shall remit a sum to the County Treasurer in the amount of \$200.00 for the purposes related to the operation of the court system in the county.

(3) SCHEDULE 3: not to exceed \$89, the fee shall be **\$89.00**. The fees collected under this schedule shall be disbursed as follows:

(A) The clerk shall retain a sum, in an amount not to exceed \$22.00 determined by the clerk with the approval of the Supreme Court, to be used for court automation, court document storage, and administrative purposes.

(B) The clerk shall remit up to \$11 to the State Treasurer. The State Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions.

(C) The clerk shall remit a sum to the County Treasurer in the amount of \$56.00 for the purposes related to the operation of the court system in the county.

(4) SCHEDULE 4: \$0.00

(b) Appearance.

The fee for filing an appearance in a civil action, including a cannabis civil law action under the Cannabis Control Act, shall be as set forth in the applicable schedule under this subsection in accordance with case categories established by the Supreme Court in schedules.

(1) SCHEDULE 1: not to exceed \$191, the fee shall be **\$181.00**. The fees collected under this schedule shall be disbursed as follows:

(A) The clerk shall retain a sum, in an amount not to exceed \$45.00 determined by the clerk with the approval of the Supreme Court, to be used for court automation, court document storage, and administrative purposes.

(B) The clerk shall remit up to \$21 to the State Treasurer. The State Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions.

(C) The clerk shall remit a sum to the County Treasurer in the amount of \$125.00 for the purposes related to the operation of the court system in the county.

(2) SCHEDULE 2: not to exceed \$109, the fee shall be **\$109.00**. The fees collected under this schedule shall be disbursed as follows:

(A) The clerk shall retain a sum, in an amount not to exceed \$10.00 determined by the clerk with the approval of the Supreme Court, to be used for court automation, court document storage, and administrative purposes.

(B) The clerk shall remit up to \$9 to the State Treasurer, which the State Treasurer shall deposit into the Supreme Court Special Purpose Fund.

(C) The clerk shall remit a sum to the County Treasurer in the amount of **\$90.00** for the purposes related to the operation of the court system in the county.

(3) SCHEDULE 3: \$0.00

(c) 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.

(d) Alias summons.

The clerk shall collect a fee of **\$5.00** for each alias summons or citation issued by the clerk.

(e) Jury services.

The clerk shall collect, in addition to other fees allowed by law, a sum of **\$212.50**, as a fee for the services of a jury in every civil action no 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.

(f) Change of venue. In connection with a change of venue:

(1) The clerk of the jurisdiction from which the case is transferred will charge a fee of **\$40.00** for the preparation and certification of the record; and

- (2) The clerk of the jurisdiction to which the case is transferred may charge the same filing fee as if it were the commencement of a new suit.

(g) Petition to vacate or modify.

- (1) In a proceeding involving a petition to vacate or modify any final judgment or order filed within 30 days after the judgment or order was entered, except for an eviction case, small claims case, petition to reopen an estate, petition to modify, terminate or enforce a judgment or order of child or spousal support, or petition to modify, suspend or terminate an order for withholding, the fee shall be **\$50.00**.
- (2) In a proceeding involving a petition to vacate or modify any final judgment or order filed more than 30 days after the judgment or order was entered, except for a petition to modify, terminate, or enforce a judgment or order for child or spousal support, or petition to modify, suspend, or terminate an order for withholding, the fee shall be **\$75.00**.
- (3) 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 be **\$40.00**.

(h) Appeals preparation.

The fee for preparation of a record on appeal on appeal shall be based on the number of pages, as follows:

- (1) If the record contains no more than 100 pages, the fee shall be **\$50.00**;
- (2) If the record contains between 100 and 200 pages, the fee shall be **\$100.00**; and
- (3) If the record contains 200 or more pages, the clerk shall collect an additional fee of **\$.25** per page.

(i) Remands.

In any cases remanded to the circuit court from the Supreme Court or the Appellate Court for a new trial, the clerk 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 remand.

(j) Garnishment, wage deduction, and citation.

In garnishment affidavit, wage deduction affidavit, and citation petition proceedings:

- (1) If the amount in controversy in the proceeding is not more than \$1,000.00 the fee shall be **\$15.00**.
- (2) If the amount in controversy in the proceeding is greater than \$1,000.00 and not more than \$5,000.00, the fee shall be **\$30.00**.
- (3) If the amount in controversy in the proceeding is greater than \$5,000.00, the fee shall be **\$50.00**.

(j-5) Debt Collection.

In any proceeding to collect a debt subject to the exception in item (ii) of subparagraph (A-5) of paragraph (1) of subsection (z) of the Section, the circuit court shall order and the clerk shall collect from each judgment debtor a fee of :

- (1) **\$35.00** if the amount in controversy in the proceeding is not more than \$1,000;
- (2) **\$45.00** if the amount in controversy in the proceeding is greater than \$1,000 and not more than \$5,000; and
- (3) **\$65.00** if the amount in controversy in the proceeding is greater than \$5,000.

(k) Collections.

- (1) For all collections made of others, except the State and county and except in maintenance or child support cases, the clerk may collect a fee of **2.5%** of the amount collected and turned over.
- (2) In child support and maintenance cases, the clerk shall collect an annual fee of **\$36.00** from the person making payment for maintaining child support records and the processing of support orders to the State of Illinois KIDS system and the recording of payments issued by the State Disbursement Unit for the official record of the Court. This fee is in addition to and separate from amounts ordered to be paid as maintenance or child support and shall 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.

(3) The clerk may collect a fee of **\$5.00** for certification made to the Secretary of State as provided in Section 7-703 of the Illinois Vehicle Code and this fee shall be deposited into the Separate Maintenance and Child Support Collection Fund.

(4) In proceedings to foreclose the lien of delinquent real estate taxes, State's Attorneys 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.

(l) Mailing.

The fee for the clerk mailing documents shall be **\$10.00 plus the cost of postage.**

(m) Certified copies.

The fee for each certified copy of judgment, after the first copy, shall be **\$10.00.**

(n) Certification, authentication, and reproduction.

(1) The fee for each certification or authentication for taking the acknowledgment of a deed or other instrument in writing with the seal of the office shall be **\$6.00.**

(2) The fee for reproduction of any document contained in the clerk's files shall be:

(A) **\$2.00** for the first page.

(B) **\$.50** cents per page for the next 19 pages; and

(C) **\$.25** cents per page for all additional pages.

(o) Record search.

For each record search, within a division or municipal district, the clerk may collect a search fee in the amount of **\$6.00.**

(p) Hard copy.

For each page of hard copy print output, when case records are maintained on an automated medium, the clerk may collect a fee in the amount of **\$6.00.**

(q) 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.

(r) Performing a marriage.

There shall be a \$10.00 fee for performing a marriage in court. The fee shall be deposited into the Marriage Fund Account of the Tenth Circuit of Illinois.

(s) Voluntary assignment.

For filing each deed of voluntary assignment, the clerk shall collect a fee of **\$20.00**. For recording a deed of voluntary assignment, the clerk shall collect a fee of **\$.50** for each 100 words. Exceptions filed to claims presented to an assignee of a debtor who has made a voluntary assignment for the benefit of creditors shall be considered and treated, for the purpose of taxing costs therein, as actions in which the party or parties filing the exceptions shall be considered as party of parties plaintiff, and the claimant or claimants as party or parties defendant, and those parties respectively shall pay to the clerk the same fees as provided by this Section to be paid in other actions.

(t) Expungement petition.

The clerk shall collect a fee of **\$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.

(u) 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.

(v) Probate filings.

- (1) For each account (other than one final account) filed in the estate of a decedent, or ward, the fee shall be **\$25.00**.
- (2) For filing a claim in an estate when the amount claimed is greater than \$150.00 and not more than \$500.00, the fee shall be **\$25.00**; when the amount claimed is greater than

\$500.00 and not more than \$10,000.00, the fee shall be **\$40.00**; and when the amount claimed is more than \$10,000.00, the fee shall be **\$60.00**; except the court in allowing a claim may add to the amount allowed the filing fee paid by the claimant.

- (3) For filing in an estate 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, the fee shall be **\$60.00**.
- (4) There shall be no fee for filing in an estate: (i) the appearance of any person for the purpose of consent; or (ii) the appearance of an executor, administrator, administrator to collect, guardian, guardian ad litem, or special administrator.
- (5) For each jury demand the fee shall be **\$137.50**.
- (6) For each certified copy of letters of office, of court order, or other certification, the fee shall be **\$2.00** per page.
- (7) For each exemplification, the fee shall be **\$2.00**, plus the fee for certification.
- (8) 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.
- (9) 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.
- (10) 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.

(w) Correction of numbers.

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, the fee shall be **\$25.00**.

(x) Miscellaneous.

- (1) Interest earned on any fees collected by the clerk shall be turned over to the county general fund as an earning of the office.
- (2) For any check, draft, or other bank instrument returned to the clerk for non-sufficient funds, account closed, or payment stopped, the clerk shall collect a fee of **\$25.00**.

(y) Other fees.

Any fees not covered in this Section shall be set by rule or administrative order of the circuit court with approval of the Administrative Office of the Illinois Courts. The clerk of the circuit court may provide services in connection with the operation of the clerk's office, other than 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 changes for additional services shall be as agreed to between the clerk and the party making the request and approved by the Chief Judge. Nothing in this subsection shall be construed to require any clerk to provide any service not otherwise required by law.

(y-5) Unpaid fees.

Unless a court ordered payment schedule is implemented or the fee requirements of this Section are waived under a court order, the clerk of the circuit court may add to any unpaid fees and costs under this Section 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. Notice to those parties may be made by signage posting or publication. The additional delinquency amounts collected under this Section shall be deposited into the Circuit Court Clerk Operations and Administrative Fund and used to defray additional administrative costs incurred by the clerk of the circuit court in collection of unpaid fees and costs.

(z) 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 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) 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;
- (C) 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;

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

(E) 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 (a) 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.

(aa) The Section is repealed on January 1, 2021.

(705 ILCS 135/1-5)

(a) **Criminal cases.**

Assessments shall be imposed in criminal, traffic, conversation and non-traffic matters in accordance with the schedules set forth in the Criminal and Traffic Assessment Act and shall be distributed as set forth herein.

(1) **SCHEDULE 1 – GENERIC FELONY OFFENSES:** The clerk shall collect **\$549.00** and remit as follows:

(A) The clerk shall retain a sum, in an amount not to exceed \$45.00 determined by the clerk with the approval of the Supreme Court, to be used for court automation, court document storage, and administrative purposes.

(B) The clerk shall remit up to \$195.00 to the State Treasurer. The State Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions.

(C) The clerk shall remit a sum to the County Treasurer in the amount of **\$309.00**. The County Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions.

(2) SCHEDULE 2 – FELONY DUI OFFENSES: The clerk shall collect **\$1,709.00** and remit as follows:

(A) The clerk shall retain a sum, in an amount not to exceed \$45.00 determined by the clerk with the approval of the Supreme Court, to be used for court automation, court document storage, and administrative purposes.

(B) The clerk shall remit up to \$1,110.00 to the State Treasurer. The State Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions.

(C) The clerk shall remit a sum to the County Treasurer in the amount of **\$354.00**. The County Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions.

(D) \$200.00 shall be remitted to the treasurer of the unit of local government of the arresting agency.

(3) SCHEDULE 3 – FELONY DRUG OFFENSES: The clerk shall collect **\$2,215.00** and remit as follows:

(A) The clerk shall retain a sum, in an amount not to exceed \$45.00 determined by the clerk with the approval of the Supreme Court, to be used for court automation, court document storage, and administrative purposes.

(B) The clerk shall remit up to \$1,861.00 to the State Treasurer. The State Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions.

(C) The clerk shall remit a sum to the County Treasurer in the amount of **\$309.00**. The County Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions.

(4) SCHEDULE 4 – FELONY SEX OFFENSES: The clerk shall collect **\$1,314.00** and remit as follows:

(A) The clerk shall retain a sum, in an amount not to exceed \$45.00 determined by the clerk with the approval of the Supreme Court, to be used for court automation, court document storage, and administrative purposes.

(B) The clerk shall remit up to \$960.00 to the State Treasurer. The State Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions.

(C) The clerk shall remit a sum to the County Treasurer in the amount of **\$309.00**. The County Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions.

(5) SCHEDULE 5 – GENERIC MISDEMEANOR OFFENSES: The clerk shall collect **\$439.00** remit as follows:

- (A) The clerk shall retain a sum, in an amount not to exceed \$45.00 determined by the clerk with the approval of the Supreme Court, to be used for court automation, court document storage, and administrative purposes.
- (B) The clerk shall remit up to \$155.00 to the State Treasurer. The State Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions.
- (C) The clerk shall remit a sum to the County Treasurer in the amount of **\$237.00**. The County Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions.
- (D) \$2.00 shall be remitted to the treasurer of the unit of local government of the arresting agency.

(6) SCHEDULE 6 – MISDEAMENOR DUI OFFENSES: The clerk shall collect **\$1,381.00** and remit as follows:

- (A) The clerk shall retain a sum, in an amount not to exceed \$45.00 determined by the clerk with the approval of the Supreme Court, to be used for court automation, court document storage, and administrative purposes.
- (B) The clerk shall remit up to \$707.00 to the State Treasurer. The State Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions.
- (C) The clerk shall remit a sum to the County Treasurer in the amount of **\$277.00**. The County Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions.
- (D) \$352.00 shall be remitted to the treasurer of the unit of local government of the arresting agency.

(7) SCHEDULE 7 – MISDEAMENOR DRUG OFFENSES: The clerk shall collect **\$905.00** and remit as follows:

- (A) The clerk shall retain a sum, in an amount not to exceed \$45.00 determined by the clerk with the approval of the Supreme Court, to be used for court automation, court document storage, and administrative purposes.
- (B) The clerk shall remit up to \$621.00 to the State Treasurer. The State Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions.

(C) The clerk shall remit a sum to the County Treasurer in the amount of **\$237.00**.
The County Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions.

(D) \$2.00 shall be remitted to the treasurer of the unit of local government of the arresting agency.

(8) SCHEDULE 8 – MISDEAMENOR SEX OFFENSES: The clerk shall collect **\$1,184.00** and remit as follows:

(A) The clerk shall retain a sum, in an amount not to exceed \$45.00 determined by the clerk with the approval of the Supreme Court, to be used for court automation, court document storage, and administrative purposes.

(B) The clerk shall remit up to \$900.00 to the State Treasurer. The State Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions.

(C) The clerk shall remit a sum to the County Treasurer in the amount of **\$237.00**.
The County Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions.

(D) \$2.00 shall be remitted to the treasurer of the unit of local government of the arresting agency.

(9) SCHEDULE 9 – MAJOR TRAFFIC OFFENSES: The clerk shall collect **\$325.00** and remit as follows:

(A) The clerk shall retain a sum, in an amount not to exceed \$45.00 determined by the clerk with the approval of the Supreme Court, to be used for court automation, court document storage, and administrative purposes.

(B) The clerk shall remit up to \$97.00 to the State Treasurer. The State Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions.

(C) The clerk shall remit a sum to the County Treasurer in the amount of **\$158.00**.
The County Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions.

(D) \$25.00 shall be remitted to the treasurer of the unit of local government of the arresting agency.

(10) SCHEDULE 10 – MINOR TRAFFIC OFFENSES: The clerk shall collect **\$226.00** and remit as follows:

- (A) The clerk shall retain a sum, in an amount not to exceed \$45.00 determined by the clerk with the approval of the Supreme Court, to be used for court automation, court document storage, and administrative purposes.
- (B) The clerk shall remit up to \$46.00 to the State Treasurer. The State Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions.
- (C) The clerk shall remit a sum to the County Treasurer in the amount of **\$123.00**. The County Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions.
- (D) \$12.00 shall be remitted to the treasurer of the unit of local government of the arresting agency.

(11) SCHEDULE 10.5 – TRUCK WEIGHT & LOAD OFFENSES: The clerk shall collect \$260.00 and remit as follows:

- (A) The clerk shall retain a sum, in an amount not to exceed \$45.00 determined by the clerk with the approval of the Supreme Court, to be used for court automation, court document storage, and administrative purposes.
- (B) The clerk shall remit up to \$92.00 to the State Treasurer. The State Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions.
- (C) The clerk shall remit a sum to the County Treasurer in the amount of **\$123.00**. The County Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions.

(12) SCHEDULE 11 – MISDEAMENOR DRUG OFFENSES: The clerk shall collect **\$195.00** and remit as follows:

- (A) The clerk shall retain a sum, in an amount not to exceed \$45.00 determined by the clerk with the approval of the Supreme Court, to be used for court automation, court document storage, and administrative purposes.
- (B) The clerk shall remit up to \$25.00 to the State Treasurer. The State Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions.

(C) The clerk shall remit a sum to the County Treasurer in the amount of **\$123.00**.
The County Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions.

(D) \$2.00 shall be remitted 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): The clerk shall collect **\$164.00** and remit as follows:

(A) The clerk shall retain a sum, in an amount not to exceed \$45.00 determined by the clerk with the approval of the Supreme Court, to be used for court automation, court document storage, and administrative purposes.

(B) The clerk shall remit up to \$14.00 to the State Treasurer. The State Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions.

(C) The clerk shall remit a sum to the County Treasurer in the amount of **\$55.00**.
The County Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions.

(D) \$50.00 shall be remitted 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: the clerk shall collect **\$100.00** and remit as follows:

(A) The clerk shall retain a sum, in an amount not to exceed \$45.00 determined by the clerk with the approval of the Supreme Court, to be used for court automation, court document storage, and administrative purposes.

(B) The clerk shall remit a sum to the County Treasurer in the amount of **\$30.00**.
The County Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions.

(C) \$25.00 shall be remitted to the treasurer of the unit of local government of the arresting agency.

(b) Unpaid fees.

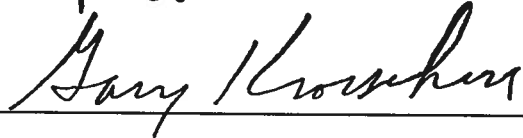
Unless a court ordered payment schedule is implemented or the fee requirements of this Section are waived under a court order, the clerk of the circuit court may add to any unpaid fees and costs

under this Section 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. Notice to those parties may be made by signage posting or publication. The additional delinquency amounts collected under this Section shall be deposited into the Circuit Court Clerk Operations and Administrative Fund and used to defray additional administrative costs incurred by the clerk of the circuit court in collection of unpaid fees and costs.

(c) The Section is repealed on January 1, 2021.

That the effective date of the Circuit Court Clerk fees adopted herein shall be July 1, 2019.

Passed, approved and adopted this 11th day of April, 2019.



Gary Kroeschen, Chairman
Marshall County Board

Attest:


Jill M. Kenyon, County Clerk

10-AYES

0-NAYS

2-ABSENT