COUNTY OF MARSHALL, ILLINOIS
RESOLUTION NO. 2026-44

A RESOLUTION AMENDING CIRCUIT COURT CLERK CIVIL FILING AND APPEARANCE FEES PURSUANT TO PUBLIC ACT 104-0468

WHEREAS, Section 27.1b of the Clerks of Courts Act, 705 ILCS 105/27.1b, provides that circuit court clerk fees shall be established, collected, and disbursed in accordance with that Section and authorizes the county board to specify by ordinance or resolution certain amounts remitted to the county treasurer for purposes related to the operation of the county court system; and

WHEREAS, Public Act 104-0468 amended Section 27.1b, effective July 1, 2026, by increasing certain civil filing and appearance fee schedules by $5 to provide an additional remittance to the Guardianship and Advocacy Fund; and

WHEREAS, Public Act 104-0468 also amended the probate account fee so that it applies to accounts, other than one final account, filed in a decedent's estate and may not be charged for accounts filed in guardianships established for minors under Article XI or disabled adults under Article XIa of the Probate Act of 1975; and

WHEREAS, Public Act 104-0468 repealed the separate $100 Guardianship and Advocacy Operations Fee formerly imposed under 705 ILCS 105/27.3(f); and

WHEREAS, the County Board finds it necessary and appropriate to update the fee schedule administered by the Marshall County Circuit Clerk to conform with current Illinois law;

NOW, THEREFORE, BE IT RESOLVED by the County Board of Marshall County, Illinois, as follows:

SECTION 1. CIVIL FILING FEE INCREASES. The following civil filing fee schedules are increased under 705 ILCS 105/27.1b(a), subject to the case categories established by the Illinois Supreme Court:

Schedule	Increase
Schedule 1	$5
Schedule 3	$5

SECTION 2. CIVIL APPEARANCE FEE INCREASES. The following civil appearance fee schedules are increased under 705 ILCS 105/27.1b(b), subject to the case categories established by the Illinois Supreme Court:

Schedule	Increase
Schedule 1	$5
Schedule 2	$5

SECTION 3. DISTRIBUTION. From the fees collected under Sections 1 and 2, the Circuit Clerk shall retain and remit the amounts required or authorized by 705 ILCS 105/27.1b. The amounts remitted to the Marshall County Treasurer shall be those previously established by the County Board, not exceeding the statutory limits, and shall be used for purposes related to the operation of the court system in Marshall County.

SECTION 4. PROBATE FEES. The fee of not more than $25 for each account other than one final account shall apply only to accounts filed in a decedent's estate. No such fee shall be charged for accounts filed in guardianships established for minors under Article XI or disabled adults under Article XIa of the Probate Act of 1975.

SECTION 5. REPEALED FEE. The Circuit Clerk shall not collect the former $100 Guardianship and Advocacy Operations Fee under repealed 705 ILCS 105/27.3(f).

SECTION 6. CONFLICT; CONTINUING EFFECT. All prior Marshall County resolutions or ordinances are amended only to the extent they are inconsistent with this Resolution. All provisions not affected by this Resolution remain in full force and effect.

SECTION 7. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption. The Circuit Clerk is authorized and directed to administer the statutory changes made by Public Act 104-0468 for filings made on or after July 1, 2026, to the extent permitted by law.

ADOPTED by the County Board of Marshall County, Illinois, this 8th day of October, 2026.

AYES: 10 NAYS: 0 ABSENT: 2 ABSTAIN: 0

APPROVED:

Chair, Marshall County Board

ATTEST:

Marshall County Clerk Chief Deputy