

Lake County Illinois

*Lake County Courthouse and Administrative Complex
18 N. County Street
Waukegan, IL 60085-4351*



Agenda Report - Final

Tuesday, October 31, 2017

9:00 AM

Assembly Room, 10th Floor

Law and Judicial Committee

1. Call to Order
2. Pledge of Allegiance
3. Approval of Minutes
4. Addenda to the Agenda
5. Public Comment
6. Chairman's Remarks
7. Old Business

7.1 [17-0900](#)

Ordinance amending Chapter 35, Section 35.36 Fees for Services Performed by Lake County Sheriff's Office (LCSO) by adopting a revised fee schedule for the LCSO.

- The LCSO, in conjunction with Finance and Administrative Services (FAS) Department, completed a review of the cost of certain services provided by the LCSO.
- The services reviewed include:
 - Service of process (including counter service)
 - Service of summons, paper services, foreign services and subpoenas throughout Lake County.
 - Replevin (return of property pursuant to court order)
 - Evictions (removal of individuals pursuant to court order)
 - Fingerprinting
- An analysis of the fees, which have not been increased since 2008, identified that the fee charged for these services does not cover the LCSO costs for providing that service.
- Based on a fee comparison completed by LCSO, the recommended fees are essentially in line with what Lake County municipalities and neighboring counties are charging.
- As a result of the review, LCSO recommends the adoption of a revised fee schedule with an effective date of December 1, 2017.

Attachments: [Ordinance adopting a revised fee schedule text](#)

[7.1 Handouts Final](#)

[LCSO Proposed Fee Changes Sheriff 7.1 thru 7.3](#)

7.2 [17-0903](#)

Ordinance renaming Chapter 93, Section 93.07 from False Alarms to Alarm Responses and adjusting its associated fees.

- The Lake County Sheriff's Office (LCSO), in coordination with the Finance and Administrative Services (FAS) Department, completed a review of the cost for certain services provided by the LCSO.
- The LCSO recommends that the current name "False Alarms" be changed to "Alarm Responses" since the actual service being provided is alarm response.
- The fee study analysis identified that behavior modification in preventing the need for an alarm response is necessary and, as a result it is recommended that enhanced

educational information be provided with an increase in fees to \$50 for the third through fifth alarm responses, and \$100 for each alarm response thereafter in a 12-month period.

- Based on a fee comparison completed by LCSO, the recommended fees are essentially in line with what Lake County municipalities and neighboring counties are charging.
- The recommended name change and fee increase will become effective December 1, 2017.

Attachments: [Alarm Response \(Formerly False Alarm\) Fee Ord.](#)

[ALARM RESPONSE HANDOUT 7.2 final](#)

7.3 [17-0901](#)

Ordinance amending Chapter 35, Section 35.35 Judicial Sales by adopting a fee identified as the Judicial Sales (Foreclosure) Cancellation Fee for the Lake County Sheriff's Office (LCSO).

- In 2009, the LCSO developed the policies and procedures to create a Judicial Sales Division to accept all judicial sales in Lake County.
- The effort, intended to centralize the County's foreclosure procedures, allowed for better dissemination of information, location stabilization, and a central point of public contact.
- The statutory fee of \$600 was established pursuant to 55 Illinois Compiled Statute (ILCS) 5/4-5001, and allowed, a cancellation fee of \$200 per cancellation.
- Due to the recently completed fee analysis, the LCSO recommends that the foreclosure cancellation fee be increased to \$300 per occurrence, effective December 1, 2017. This adjustment is consistent with the statutory cancellation fee which is set at one-half of the foreclosure fee.
- Based on a fee comparison completed by LCSO, the recommended fees are essentially in line with what Lake County municipalities and neighboring counties are charging.

Attachments: [\(Foreclosure Cancellation\) Fee & Cost of Service Comparison](#)

[Foreclosure Fee Ordinance](#)

7.4 [17-0902](#)

Ordinance amending Chapter 35 adopting Section 35.37 Administrative Fee for Impounded Vehicles.

- The Lake County Sheriff's Office (LCSO), in cooperation with the State's Attorney, has drafted a recommended ordinance to implement an administrative impounded vehicle fee of \$250.
- While multiple Lake County municipalities and two collar counties have implemented this fee, it would be a new fee for Lake County.
- The recommendation to implement an administrative impound fee is intended to seek partial reimbursement for the costs associated with processing, removing, impounding, storing and releasing a vehicle. This fee would be in addition to any towing and storage fees levied by a third party.
- To ensure adequate due process, the recommended ordinance also includes an optional administrative adjudication process.
- The LCSO will monitor this activity and complete an evaluation after the first year of implementation.
- The proposed effective date is April 1, 2018 which will allow sufficient time for a smooth

implementation and integration into the Planning, Building and Development Department's administrative adjudication schedule.

Attachments: [Chapter 35 Section 35.37 Administrative Fee for Impounded Vehicles](#)
[LCSO Proposed Tow Fee Changes](#)

8. New Business

PUBLIC DEFENDER

8.1 [17-1200](#)

Report from Joy Gossman, Public Defender, for the month of September 2017.

Attachments: [09-17 Main](#)
[09-17 Main PTR](#)
[09-17 JUV Main](#)
[09-17 JUV PTR](#)

CIRCUIT COURT CLERK

8.2 [17-1070](#)

Ordinance amending Chapter 35, Section 35.22 Court Document Fee by increasing the fee collected by the Circuit Court Clerk from \$5 to \$20 effective December 1, 2017.

- Lake County currently assesses a document storage fee of \$5 to litigants in all civil cases and to defendants in criminal and traffic, municipal ordinance and conservation cases upon a judgment of guilty or a grant of supervision.
- The recommendation is to increase this fee to \$20.
- The maximum fee allowed by State Statute, 705 Illinois Compiled Statutes (ILCS) 105/27.3c, is \$25.
- Increasing the fee will assist in paying for current and future expenses related to the establishment and /or maintenance of a document storage system in the Circuit Clerk's Office. The fee increase is anticipated to generate an additional \$1,275,000 annually.
- The Circuit Court Clerk oversees the Document Storage Fund.

Attachments: [Doc Storage Information](#)
[Illinois General Assembly - ILCS Doc Storage](#)
[35 Document Storage Ordinance](#)

8.3 [17-1023](#)

Ordinance amending Chapter 35, Section 35.23 Court Automation Fee by increasing the fee collected by the Circuit Court Clerk from \$12 to \$20 effective December 1, 2017.

- Lake County currently assesses a court automation fee of \$12 to litigants in all civil cases and to defendants in felony, traffic, misdemeanor, municipal ordinance and conservation cases upon a judgment of guilty or a grant of supervision.
- The recommendation is to increase this fee to \$20.
- The maximum fee allowed by State Statute, 705 Illinois Compiled Statutes (ILCS) 105/27.3a, is \$25.

- Increasing the fee will assist in paying for current and future expenses related to the establishment and/or maintenance of automated record keeping systems in the Circuit Courts and the Circuit Clerk's Office. The fee increase is anticipated to generate an additional \$660,000 annually.
- The Chief Judge and the Circuit Court Clerk, jointly oversee the Court Automation Fund.

Attachments: [Court Automation Information](#)

[Illinois General Assembly -ILCS Court Automation](#)

[35.23 Court Automation](#)

9. **Executive Session**
10. **County Administrator's Report**
11. **Members' Remarks**
12. **Adjournment**

Next Meeting: November 7, 2017