



# Lake County Illinois

## Legislation Text

File #: 09-2030, Version: 1

Joint resolution amending the Court Service Fee Ordinance to increase various fees imposed by the Ordinance and requesting concurrence of the Chief Judge of the 19<sup>th</sup> Judicial Circuit to impose the fee increases.

- The court services fee schedule, most recently adjusted in 2008, charges different rates for different types of cases.
- The current rates are between \$8 and \$20, all below the maximum fee of \$25 allowed by Illinois Statute.
- Given the current economic climate, it is deemed appropriate and necessary that the rates for all case types except small claims be increased to the statutory maximum of \$25. The fee for small claims cases will be increased to \$15.
- The Chief Judge will concur with this fee increase through an administrative order.
- The proposed fee structure will generate about \$934,000 in new revenue.

**WHEREAS**, Illinois statutes (55 ILCS 5/5-1103) authorize county boards to establish a court services fee to defray the costs of court security; and

**WHEREAS**, the Lake County Board enacted a Court Services Fee Ordinance in 1989 that was amended in 1991, 1998 and, most recently, in 2008; and

**WHEREAS**, in the past, the court services fee schedule has included different rates for different types of cases with the concurrence of the Chief Judge; and

**WHEREAS**, given the current economic climate it is deemed appropriate and necessary that the rates for all case types except small claims be increased to the statutory maximum of \$25; and

**WHEREAS**, it is recommended that the fee for small claims cases be increased to \$15; and

**WHEREAS**, it is necessary for the County Board to amend its ordinance and for the Chief Judge to indicate concurrence through an administrative order to enact these changes.

**NOW, THEREFORE, BE IT RESOLVED**, by this County Board of Lake County, Illinois, that effective December 1, 2009, the **ORDINANCE ENACTING A COURT SERVICES FEE TO BE COLLECTED AT VARIOUS RATES WITH THE CONCURRENCE OF THE CHIEF JUDGE OF THE 19<sup>TH</sup> JUDICIAL CIRCUIT** is hereby amended as follows:

### Section III - APPLICATION

- A. The court services fee herein imposed, shall apply only to relevant cases of the Lake County Courts of the 19<sup>th</sup> Judicial Circuit.
- B. The Court Services fee shall be paid:
  1. In civil cases by each party at the time of filing the first pleading, paper or other appearance (provide that no additional fee shall be required if more than one party is represented in a single pleading, paper or other appearance). The fee shall be ~~\$20.00~~ **\$25.00**, except law under \$15,000 cases shall be ~~\$15.00~~ **\$25.00**, and Small Claims cases shall be ~~\$8.00~~ **\$15.00**.
  2. In criminal, local ordinance, county ordinance, traffic, and conservation cases, the following fee shall be assessed against the defendant upon a plea of guilty, stipulation of facts or findings of guilty, resulting in a judgment of conviction, or order

of supervision, or sentence of probation without entry of judgment pursuant to Section 10 of the Cannabis Control Act and Section 410 of the Controlled Substances Act:

- a. Felony, Misdemeanor, and Traffic DUI cases... ~~\$20.00~~ **\$25.00**
- b. All other Traffic, Local and County Ordinance and Conservation cases..... ~~\$12.00~~ **\$25.00**

Except that no fees shall be imposed or collected in traffic, conservation, and ordinance cases in which fines are paid without a court appearance.

\*\*\* End of Amendment \*\*\*

**BE IT FURTHER RESOLVED**, that the County Board of Lake County, Illinois, hereby requests the concurrence of the Chief Judge of the 19<sup>th</sup> Judicial Circuit by administrative order in these amended rates; and

**BE IT FURTHER RESOLVED**, that the County Clerk is hereby authorized and directed to attach the administrative order (Number 09-\_\_\_\_) as issued by the Chief Judge to the amended ordinance, making it part hereof.

**DATED**, at Waukegan, Lake County, Illinois, on this 13<sup>th</sup> day of October, A.D., 2009.