

Note: These minutes are not official until approved by the Law & Justice Committee at a subsequent meeting. Please refer to the meeting minutes when these minutes are approved to obtain any changes to these minutes.

DeKalb County Government
Sycamore, Illinois

**Law & Justice Committee Minutes
January 23, 2023**

The Law & Justice Committee of the DeKalb County Board met on Monday, January 23, 2023, in the Legislative Center's Gathertorium in Sycamore, Illinois. Chair, Kathy Lampkins called the meeting to order at 6:30 p.m. Those members present were Tim Bagby, Mary Cozad, Patrick Deutsch, Maureen Little, Michelle Pickett and Chair, Kathy Lampkins. Amber Quitno was absent at the time of the roll call and arrived at 6:55 p.m. A quorum was established with six members present and one absent. Others present included Jim Burgh, Chip Criswell, Brian Gregory, Andy Sullivan, Michael Venditti, and Ellingsworth Webb.

APPROVAL OF THE AGENDA

Maureen Little moved to approve the agenda as presented. Michelle Pickett seconded the motion, and the motion was approved unanimously.

APPROVAL OF THE MINUTES

Mary Cozad moved to approve the minutes of the October 24, 2022 committee meeting and Kathy Lampkins seconded the motion and it was carried unanimously.

PUBLIC COMMENTS

There were no public comments.

SHERIFF'S OFFICE

Resolution #R2023-17: A Resolution Approving the Procurement of Body Cameras from Axon Enterprises - Sheriff, Andy Sullivan provided a brief overview of the resolution and requested that Chief Deputy, Jim Burgh present the details concerning the proposed purchase of equipment from Axon Enterprises.

Jim Burgh mentioned that body cameras are required for the DeKalb County Sheriff's law enforcement officers. He outlined significant operational issues with the current equipment, including camera features not functioning properly and battery failure and software issues that have resulted in time-consuming workarounds and decreased effectiveness. He added that servicing the current equipment is expensive and inconvenient.

Jim Burgh reviewed that Axon Enterprises is the leading supplier for law enforcement equipment in the United States. He stated that the City of DeKalb, NIU, and the City of Elgin use Axon equipment and that those law enforcement agencies are very pleased with the

equipment's performance and aren't experiencing any of the issues the sheriff's personnel have experienced with the current equipment.

Jim Burgh outlined the many benefits of purchasing the Axon equipment, including an improved ability to respond to FOIA requests through a more efficient video review process, software compatibility with current and future equipment used by the Sheriff's Office and other DeKalb County departments, and a significant overall improvement in functionality and effectiveness.

County Administrator, Brian Gregory stated that he fully supports this request to purchase the equipment and referenced the industry's typical two-year repair/replace frequency and associated expense that's covered in the Axon agreement. He outlined that the acquisition's funding is possible through resources currently available in the budget, including funds that were allocated for camera replacement. He added that reallocated funds are also available due to the receipt of grant money and diminished need in other areas of the budget.

Jim Burgh added that the state will soon be accepting applications to request body camera grant funds that would assist in funding the purchase. He mentioned that DeKalb County will be applying for this grant as soon as the application process begins.

Mary Cozad moved that the committee advance Resolution #R2023-17 to the full county board for approval. Patrick Deutsch seconded the motion and the motion passed unanimously.

Jail Population/Overtime Reports – Andy Sullivan reviewed that overtime exceeded the budget allocation for 2022 due to a shortage of personnel. He stated that he hopes to fill the open positions soon and reduce the overtime expense. Andy Sullivan reviewed the Jail Population Report for December 2022.

COURT SERVICES REPORTS

Court Services Director, Michael Venditti reviewed that there has been a steady increase during 2022 in the amount of adult probation cases their department is monitoring and that this increase has continued into 2023. He stated that the amount of community service hours also increased during 2022 and that this increase has started to level off.

Michael Venditti stated that he was pleased report that there were no juvenile residential placements during 2022, as research has shown that programming of this type has had a horrible long-term impact on juveniles. He added that placements are also very costly and the county has continued to avoid residential placements.

Michael Venditti stated that he is concerned with the trend in juvenile offenses and the severity of the offenses, such as armed robbery and vehicle theft. He reviewed that consequently, there has been an increase in the number and duration of detentions and that the expenses in this area for 2022 were significantly overbudget. Michael Venditti mentioned that adjustments

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were made for the 2023 budget to accommodate the concerning trend in this area. He added that expense adjustments made in 2022 in other areas of the budget should result in an acceptable overall budget performance for Court Services in 2022.

Michael Venditti reviewed that DeKalb County's intergovernmental agreement with the Juvenile Justice Center in St. Charles to detain the county's juveniles is reaching the end of the contract period. He explained that the Center will be increasing their rates significantly and that increase, combined with the trend in juvenile cases DeKalb County is experiencing, resulted in the county considering other options and entering into an agreement with the River Valley Detention Center in Joliet. Michael Venditti said that DeKalb County utilized River Valley Detention for short-term cases during the COVID outbreak and that River Valley was very happy to enter into an agreement with the county for a much more reasonable cost than what the Juvenile Justice Center in St. Charles proposed. He stated that the county has a good relationship with the River Valley Detention Center.

Michael Venditti provided an overview of the Pretrial Statistics Report stating that there are no significant changes in activity with a slight decline in the number of releases during the pretrial phase. He added that there has been an increase in the severity of offenses and in the number of individuals not suitable for release.

Michael Venditti mentioned that the Pretrial Fairness Act requires cash bail to be eliminated across the state as of January 1, 2023. He outlined that the Act is now on hold and that the State Supreme Court is due to hear arguments in March.

Michael Venditti reviewed that there is an increase in turnover in the Probation Department due in large part to the county's relatively low salary range as compared with other counties in the area. He mentioned that due to inflation relief efforts, there is now state funding available to counties willing to increase salaries for probation officers. Michael Venditti provided salary examples illustrating DeKalb's starting salary is significantly lower than Kane County's and is lower than the state average of \$45,000. He stated that he has been working with Brian Gregory and Judge Waller to increase salaries in an effort to become more competitive. Michael Venditti also outlined that DeKalb and Kendall County are partnered in a collective bargaining agreement and a Memorandum of Understanding has been presented to the union for consideration. He stated that the MOU would increase the starting salary to just below the state average and also increase each step in the existing compensation scale. He added that the impact to the county budget would be just under \$30,000, as some position funding also comes from the state. Michael Venditti said that he has reviewed the financing plan with Brian Gregory and they have determined that the \$30,000 expense for 2023 can be covered through the reallocation of American Rescue Plan/government relief funds that were originally targeted for vehicles. Michael Venditti added that he hopes to secure additional funding from the state to offset the \$30,000 impact for 2024 and future years, which would avoid the need to make significant cuts in the department. Michael Venditti thanked Brian Gregory for his assistance in

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coordinating efforts with DeKalb and Kendall Counties to fund the adjustments and stated that he hopes this will result in an increased ability to recruit and retain quality staff.

PUBLIC DEFENDER’S REPORTS

Interim Public Defender, Chip Criswell reviewed the “Report of Public Defender” and stated that his department is also experiencing difficulties with recruiting and retaining attorneys due to salary issues. He emphasized that because of the staffing shortage, each attorney has been assigned more cases than they should have and that the staff has done a tremendous job in working their caseloads.

ADJOURNEMENT

It was moved by Patrick Deutsch and seconded by Michelle Pickett to adjourn the meeting. The motion was carried unanimously, and the meeting adjourned at 7:28 p.m.

Respectfully submitted,

Kathy Lampkins, Chair

Chris Klein, Recording Secretary

DEKALB COUNTY SHERIFF'S OFFICE JAIL POPULATION REPORT JANUARY 2023

Average Daily Population

127

Number of Bookings

142

Reactivated Bookings

0

<u>SEX</u>		<u>TYPE OF CRIME</u>		<u>COURT STATUS</u>		<u>PERIODIC IMPRISONMENT</u>	
<i>Male</i>	<i>Female</i>	<i>Felony</i>	<i>Misdemeanor</i>	<i>Sentenced</i>	<i>Pre-Sentenced</i>	<i>Week-ends</i>	<i>Work Release</i>
220	41	202	59	31	230	0	0

MONTHLY TRANSPORTS

	Number of Transports	Total Man Hours
<i>General</i>	18	88
<i>Medical – Mental</i>	12 / 4	38 / 29
<i>Juvenile</i>	3	19
<i>Totals</i>	37	174

DOC

	Male	Female
<i>Sentenced</i>	6	0
<i>Parole</i>	2	0
<i>Totals</i>	8	0

MONTHLY INMATE POPULATION STATISTICS

	NON-SENTENCED		REGULAR SENTENCED		WEEK-ENDERS		WORK RELEASE		EHM (ADULTS)	
	Number of Bookings	Total Days Held	Average For Month	Total Days Held						
<i>Male</i>	88	3347	19	249	0	0	0	0	-	-
<i>Female</i>	32	316	1	33	0	0	0	0	-	-
<i>Totals</i>	120	3663	20	282	0	0	0	0	74	2295

Average Daily Population: The average number of inmates in the jail for the month. Counts each day a person was in the Jail and includes all people booked into the jail.

Number of Bookings: All new arrestees booked into the Jail for this specific month.

Reactivated Bookings: All those sent to jail by the Judge for a violation of drug court, MH court, SCF and EHM Violations that are not a new arrest. Their original booking is reactivated when they are processed into the jail.

DOC: 1) Sentenced: Represents the number of inmates transported to the Department of Corrections because they were sentenced to prison for a period of time.

2) Parole: Represents the number of inmates transported to the Department of Corrections because they were arrested on a new charge, on parole and returned to DOC to face their parole violation.

EHM: The numbers reflect only adults on Electronic Home Monitoring for the month. Juveniles would not be housed in the County Jail so would have no impact on jail population.

DEKALB COUNTY SHERIFF'S OFFICE JAIL POPULATION REPORT JANUARY 2022

Average Daily Population

105

Number of Bookings

120

Reactivated Bookings

2

<u>SEX</u>		<u>TYPE OF CRIME</u>		<u>COURT STATUS</u>		<u>PERIODIC IMPRISONMENT</u>	
<i>Male</i>	<i>Female</i>	<i>Felony</i>	<i>Misdemeanor</i>	<i>Sentenced</i>	<i>Pre-Sentenced</i>	<i>Week-ends</i>	<i>Work Release</i>
190	27	159	58	13	204	0	0

MONTHLY TRANSPORTS

	Number of Transports	Total Man Hours
<i>General</i>	19	44
<i>Medical - Mental</i>	11 / 0	25 / 0
<i>Juvenile</i>	0	0
<i>Totals</i>	30	69

DOC

	Male	Female
<i>Sentenced</i>	2	0
<i>Parole</i>	3	0
<i>Totals</i>	5	0

MONTHLY INMATE POPULATION STATISTICS

	NON-SENTENCED		REGULAR SENTENCED		WEEK-ENDERS		WORK RELEASE		EHM (ADULTS)	
	Number of Bookings	Total Days Held	Average For Month	Total Days Held						
<i>Male</i>	89	2861	7	198	0	0	0	0	-	-
<i>Female</i>	22	201	0	0	0	0	0	0	-	-
<i>Totals</i>	111	3062	7	198	0	0	0	0	94	2927

Average Daily Population: The average number of inmates in the jail for the month. Counts each day a person was in the Jail and includes all people booked into the jail.

Number of Bookings: All new arrestees booked into the Jail for this specific month.

Reactivated Bookings: All those sent to jail by the Judge for a violation of drug court, MH court, SCF and EHM Violations that are not a new arrest. Their original booking is reactivated when they are processed into the jail.

DOC: 1) Sentenced: Represents the number of inmates transported to the Department of Corrections because they were sentenced to prison for a period of time.

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EHM: The numbers reflect only adults on Electronic Home Monitoring for the month. Juveniles would not be housed in the County Jail so would have no impact on jail population.

Law and Justice Committee
 Monthly Corrections Overtime Mandatory Report

As of 02/01/2023
 Payrolls Paid 2.0
 Payrolls in Year 26.1
 Percent of Year 7.7%

A
 Corrections Division

Line-Item	Account	FY 2023 Budget	02/01/2023 Y-T-D	02/01/2023 Percent
-----	-----	-----	-----	-----
6005	Salaries	3,647,900	229,634	6.3%
6111	Overtime	295,000	21,707	7.4%
		-----	-----	-----
	Total	3,942,900	251,341	6.4%
		=====	=====	=====
Actual Dollars & Percentage Should Not Exceed (For Salaries and Overtime)			303,603	7.7%
			=====	=====

MEMORANDUM

DATE: February 2023

FROM: Lori Grubbs, Circuit Clerk/Christina Lamphere

RE: Revision of Ordinance 2022-02 - An Ordinance Establishing
Civil Fees and Criminal and Traffic Assessments to be Charged
by the Clerk of the Circuit Court.

The Circuit Clerk's Office is proposing modifications to the current fee ordinance after researching some changes in laws, and the effect of some moneys not being collected previously. It is our hope that these changes will improve our fee structure so as to better defray costs expended by the County, therefore also saving the taxpayers money.

Our recommendation is a result of numerous legal reviews and discussions with other Circuit Clerks because of the desire to have more uniform fees across the State. In December 2022, this office had two meetings with the Northeast Illinois Circuit Clerks Association to address the uniformity of fees being utilized by the many Circuit Clerks. After this meeting, and extensive discussions with other Circuit Clerks from individual Counties across the State of Illinois, we determined that modifications to our own ordinance were called for.

Thus, at this time the Circuit Clerk's office is requesting the addition of two fees to this ordinance to more closely match our colleagues around the State and also cover necessary costs. Those two fees are in regard to:

- The Guardianship and Advocacy fee pursuant to 705 ILCS 105/27.3f, and
- The Expungement fees as are addressed in 20 ILCS 2630/5.2(a)(10) and 705 ILCS 105/27.1b(t).

The recommended changes are in accordance with standing Illinois Law and address the rising costs and uniformity issues throughout the State. They will enable this office to serve the public at lower cost to the taxpayers, while also remaining transparent as to the basis for the fees being charged. This will also assist the Clerk's office with filings and fees charged through e-filing.

Following conversations with the State's Attorney's Office, and upon their recommendation, we are asking to modify Ordinance 2022-02 as highlighted in the attached draft and seek passage of this new fee ordinance with an effective date of January 1, 2023.

**ORDINANCE
O2023-010**

**AN ORDINANCE ESTABLISHING CIVIL FEES AND
CRIMINAL AND TRAFFIC ASSESSMENTS
TO BE CHARGED BY THE CLERK OF THE CIRCUIT COURT**

WHEREAS, Public Act 100-0987, passed by the General Assembly on June 29, 2018, became effective July 1, 2019, completely overhauled the criminal, traffic and civil fee structures in the circuit courts throughout the State of Illinois; and

WHEREAS, the purpose of the legislation was to consolidate fees into unified schedules for all counties, to realign fees to be constitutional, and to provide for fee waivers for low-income individuals; and

WHEREAS, effective July 1, 2019, Section 27.1b of the Clerks of Courts Act, 705 ILCS 105/27.1b, sets out the fees to be charged in all counties in the State of Illinois by the Clerks of the Circuit Court for the filing of pleadings and for other services provided by the Clerks in civil cases; and

WHEREAS, Section 27.1b of the Clerks of Courts Act creates four schedules for civil filing fees, three schedules for civil appearance fees, and establishes various other fees that Clerks of the Circuit Court are authorized to assess in civil cases, all of which are generally classified as “not to exceed” amounts; and

WHEREAS, Section 27.1b provides that, unless otherwise specified, the amount of the fees shall be determined by ordinance or resolution of the county board and remitted to the county treasurer to be used for purposes related to the operation of the court system in the county; and

WHEREAS, effective July 1, 2019, the newly-adopted Criminal and Traffic Assessment Act, 705 ILCS 105/135 *et seq.*, sets out minimum fines to be levied and assessments to be charged in criminal and traffic cases by the Clerks of the Circuit Court in all counties in the State of Illinois; and

WHEREAS, Sections 15-5 through 15-65 of the Criminal and Traffic Assessment Act establish thirteen (13) assessment schedules for various criminal, traffic, conservation and non-traffic offenses, and for each schedule the county’s portion of the assessment is specifically listed; and

WHEREAS, Sections 15-5 through 15-65 break down how the assessment amounts are to be distributed to various county funds, if those funds are in existence; otherwise, the amounts designated for funds that are not in existence are to be placed in the County’s general fund for purposes related to operation of the court system in the County; and

WHEREAS, the COVID-19 health pandemic necessitated the closure of the Court’s Children’s Waiting Room, and has revealed changing circumstances and needs of the general public, which the Circuit Court and County Board have determined to require the establishment and funding of a Self-Represented Litigant (SRL) Self Help Room for the onsite filing and viewing of the DeKalb County Circuit Court Clerk's electronic files.

THEREFORE, BE IT ORDAINED, by the County Board of the County of DeKalb that the Circuit Court Clerk’s Civil and Criminal Fees and Assessments are hereby enacted pursuant to the requirements of

705 ILCS 105/27.1b of the Clerks of the Court Act and the Criminal and Traffic Assessment Act (705 ILCS 135/1-1, *et seq.*) as follows:

Civil Fees and Criminal Assessments.

Civil fees and criminal assessments shall meet the requirements of Section 27.1b of the Clerks of Courts Act, 705 ILCS 105/27.1b, and the Criminal and Traffic Assessment Act, 705 ILCS 105/135 *et seq.*

Civil Fees.

- A. Fees in civil matters shall be assessed and distributed as set forth herein, in compliance with Section 27.1b of the Clerks of Courts Act, 705 ILCS 105.27.1b.
- B. The fees for filing a complaint, petition or other pleading initiating a civil action shall be as set forth in the schedules below in accordance with case categories established by the Illinois Supreme Court:

1. SCHEDULE 1: \$326.00 to be divided as follows:

- a. \$45.00 to be retained by the Clerk of the Circuit Court and deposited as follows:
 - (1) Court Automation Fund - \$20.00
 - (2) Court Document Storage Fund - \$20.00
 - (3) Circuit Court Clerk Operation and Administration Fund - \$5.00
- b. \$11.00 to be remitted to the State Treasurer and deposited as follows:
 - (1) Access to Justice Fund - \$2.00
 - (2) Supreme Court Special Purposes Fund - \$9.00
- c. \$250.00 to be remitted to the County Treasurer and deposited as follows:
 - (1) Circuit Clerk Filing Cost - \$171.00
 - (2) Court Security Fund - \$64.00
 - (3) SRL Self Help Room Fund- \$10.00
 - (4) Court System Fund - \$5.00
- d. \$20.00 to be remitted to the County Treasurer and deposited into the Law Library Fund.

2. SCHEDULE 2: \$276.00 to be divided as follows:

- a. \$45.00 to be retained by the Clerk of the Circuit Court and deposited as follows:
 - (1) Court Automation Fund - \$20.00
 - (2) Court Document Storage Fund - \$20.00
 - (3) Circuit Court Clerk Operation and Administration Fund - \$5.00
- b. \$11.00 to be remitted to the State Treasurer and deposited as follows:
 - (1) Access to Justice Fund - \$2.00
 - (2) Supreme Court Special Purposes Fund - \$9.00
- c. \$200.00 to be remitted to the County Treasurer and deposited as follows:
 - (1) Circuit Clerk Filing Cost - \$121.00
 - (2) Court Security Fund - \$64.00
 - (3) SRL Self Help Room Fund - \$10.00(4) Court System Fund - \$5.00
- d. \$20.00 to be remitted to the County Treasurer to be deposited into the Law Library Fund.

3. SCHEDULE 3: \$109.00 to be divided as follows:

- a. \$22.00 to be retained by the Clerk of the Circuit Court and deposited as follows:
 - (1) Court Automation Fund - \$10.00
 - (2) Court Document Storage Fund - \$10.00
 - (3) Circuit Court Clerk Operation and Administration Fund - \$2.00
- b. \$11.00 to be remitted to the State Treasurer and deposited as follows:
 - (1) Access to Justice Fund - \$2.00
 - (2) Supreme Court Special Purposes Fund - \$9.00
- c. \$56.00 to be remitted to the County Treasurer and deposited as follows:
 - (1) Circuit Clerk Filing Cost - \$25.00
 - (2) Court Security Fund - \$26.00
 - (3) Court System Fund - \$5.00
- d. \$20.00 to be remitted to the County Treasurer to be deposited in the Law Library Fund.

4. SCHEDULE 4: \$0.00

C. The fees for filing an appearance in a civil action shall be set forth in the schedules below in accordance with case categories established by the Illinois Supreme Court:

1. SCHEDULE 1: \$201.00 to be divided as follows:

- a. \$45.00 to be retained by the Clerk of the Circuit Court and deposited as follows:
 - (1) Court Automation Fund - \$20.00
 - (2) Court Document Storage Fund - \$20.00
 - (3) Circuit Court Clerk Operation and Administration Fund - \$5.00
- b. \$11.00 to be remitted to the State Treasurer and deposited as follows:
 - (1) Access to Justice Fund - \$2.00
 - (2) Supreme Court Special Purposes Fund - \$9.00
- c. \$125.00 to be remitted to the County Treasurer and deposited as follows:
 - (1) Circuit Clerk Filing Cost - \$46.00
 - (2) Court Security Fund - \$64.00
 - (3) SRL Self Help Room Fund - \$10.00
 - (4) Court System Fund - \$5.00
- d. \$20.00 to be remitted to the County Treasurer to be deposited in the Law Library Fund.

2. SCHEDULE 2: \$1290.00 to be divided as follows:

- a. \$10.00 to be retained by the Clerk of the Circuit Court and distributed as follows:
 - (1) Court Automation Fund - \$4.00
 - (2) Court Document Storage Fund - \$4.00
 - (3) Circuit Court Clerk Operation Administration Fund - \$2.00
- b. \$9.00 to be remitted to the State Treasurer and distributed as follows:

(1) Supreme Court Special Purposes Fund - \$9.00

c. \$90.00 to be remitted to the County Treasurer and distributed as follows:

- (1) Circuit Clerk Filing Cost - \$11.00
- (2) Court Security Fund - \$64.00
- (3) SRL Self Help Room Fund - \$10.00
- (4) Court System Fund - \$5.00

d. \$20.00 to be remitted to the County Treasurer to be deposited in the Law Library Fund.

D. Except as otherwise specifically provided, the following miscellaneous fees are to be deposited in the County General Fund to be used for purposes related to the operation of the court system in the county:

- 1. Alias summons or citation: \$5.00
- 2. Jury services \$212.50
- 3. Change of Venue – the fee for the preparation and certification of a record on a change of venue to another jurisdiction \$40.00
- 4. Petition to vacate or modify:
 - a. Petition to Vacate or Modify any final judgment or order of court, except in forcible entry and detainer cases and small claims cases or a petition to reopen an estate, to modify, terminate, or enforce a judgment or order for child or spousal support, or to modify, suspend, or terminate an order for withholding, if filed before 30 days after the entry of the judgment or order \$50.00
 - b. Petition to Vacate or Modify any final judgment or order of court, except a petition to modify, terminate, or enforce a judgment or order for child or spousal support or to modify, suspend, or terminate an order for withholding, if filed later than 30 days after the entry of the judgment or order \$75.00
 - c. Notice sent to Secretary of State: \$40.00
- 5. Appeals preparation:
 - a. If record is 100 pages or less \$50.00
 - b. If record is between 100 and 200 pages: \$100.00
 - c. If record is 200 pages or more: Additional Fee of \$0.25 per page
- 6. Garnishment, wage deduction, and citation proceedings:
 - a. Amount in controversy \$1,000 or less: \$15.00
 - b. Amount in controversy greater than \$1,000 and not more than \$5,000: \$30.00
 - c. Amount in controversy greater than \$5,000: \$50.00
- 7. Collections:

- a. All collections (except State and County and maintenance and child support cases): 2.5% of the amount collected and turned over
 - b. In child support and spousal support cases: \$36 paid annually by the person ordered to pay child support and/or spousal support to be deposited in the Child Support Maintenance Fund
 - c. Certifications to Secretary of State pursuant to Section 7-703 of the Family Financial Responsibility Law: \$5.00
 - d. In proceedings to foreclose a delinquent real estate tax lien the State's Attorney shall receive a fee of 10% of the total amount realized from the sale of real estate sold in the proceedings
8. Mailing: \$10.00 plus the cost of postage
9. For each certified copy of a judgment: \$10.00
10. Certification, authentication, and reproduction:
- a. Each certification or authentication for taking acknowledgment of a deed or other instrument in writing with the seal of office: \$6.00
 - b. Reproduction of any document contained in the Clerk's files:
 - (1) \$2.00 for the first page
 - (2) \$0.50 per page for the next 19 pages
 - (3) \$0.25 per page for all additional pages
11. For each record search, within a division or municipal district: \$6.00 for each year searched
12. For each page of hard copy print output, when case records are maintained on an automated medium: \$6.00
13. Performing a marriage in court: \$10.00
14. For filing each deed of voluntary assignment: \$20.00; for recording a deed of voluntary assignment: \$0.50 for each 100 words, not to exceed \$20.00
15. Expungement petition: \$187.00. This fee includes the filing fee of \$60.00, ISP fee of \$60.00, Clerk mailing Fee of \$53.00 (for 5 mailings) and Clerk copy fee of \$14.00. There is an additional fee of \$4.00 for each certified copy of an order to expunge arrest records
16. Probate filings:
- a. For each account (other than one final account) filed in the estate of a decedent or ward: \$25.00
 - b. Filing a claim:
 - (1) Amount claimed greater than \$150 and not more than \$500: \$25.00
 - (2) Amount claimed greater than \$500 and not more than \$10,000: \$40.00
 - (3) Amount claimed greater than \$10,000: \$60.00
 - c. For filing a claim, petition, or supplemental proceeding based upon an action seeking equitable relief: \$60.00
 - d. For a jury demand: \$137.50
 - e. For administration of the estate of a decedent (whether testate or intestate) or of a missing person, a fee of \$100.
 - f. For each certified copy of letters of office, of court orders or other certifications: \$2.00 per page
 - g. For each exemplification: \$2.00 plus the \$6.00 fee for certification

- h. 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.
- 17. 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: \$25.00
- 18. Return check fee: \$25.00
- 19. 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.

E. Unpaid Fees

- 1. Unless a court ordered payment schedule is implemented or the fee requirements of this Section are waived by court order, the Clerk is authorized to add to any unpaid fees and costs a delinquency amount equal to 15% of the unpaid fees that remain unpaid after 90 days.
- 2. Delinquency amounts collected pursuant to this provision shall be deposited into the Circuit Court Clerk Operation and Administrative Fund to defray additional administrative costs incurred by the Clerk in collecting unpaid fees and costs.

Criminal Assessments.

A. Assessments shall be imposed in criminal, traffic, conservation and non-traffic matters in accordance with the schedules set forth in the Criminal and Traffic Assessment Act, 705 ILCS 135/1-5 *et seq.*, and shall be distributed as set forth herein.

B. Schedules:

1. SCHEDULE 1: Generic Felony Offenses

a. The Clerk shall collect \$549.00 and remit as follows:

(1) \$354.00 shall be deposited as follows:

- (a) \$20.00 to the Court Automation Fund
- (b) \$20.00 to the Court Document Storage Fund
- (c) \$5.00 to the Circuit Court Clerk Operation and Administrative Fund
- (d) \$255.00 to the County General Fund to be distributed as follows:
 - i. Circuit Clerk Filing Cost: \$51.00
 - ii. State's Attorney Fund: \$30.00
 - iii. Court Security Fund: \$64.00
 - iv. Court System Fine: \$50.00
 - v. Drug/Specialty Court: \$10.00
 - vi. Children's Advocacy Center Fund: \$20.00
 - vii. CASA: \$30.00
- (e) \$10.00 to the Children's Advocacy Center Fund
- (f) \$2.00 to the State's Attorney Records Automation Fund
- (g) \$2.00 to the Public Defender Records Automation Fund
- (h) \$20.00 to the County Jail Medical Costs Fund
- (i) \$20.00 to the Probation and Court Services Fund

(2) \$195.00 to the State Treasurer

2. SCHEDULE 2: Felony DUI Offenses

a. The Clerk shall collect \$1,709.00 and remit as follows:

(1) \$399.00 shall be deposited as follows:

- (a) \$20.00 to the Court Automation Fund
- (b) \$20.00 to the Court Document Storage Fund
- (c) \$5.00 to the Circuit Court Clerk Operation and Administrative Fund
- (d) \$300.00 to the County General Fund to be distributed as follows:
 - i. Circuit Clerk Filing Cost: \$96.00
 - ii. State's Attorney Fund: \$30.00
 - iii. Court Security Fund: \$64.00
 - iv. Court System Fine: \$50.00
 - v. Drug/Specialty Court: \$10.00
 - vi. Children's Advocacy Center Fund: \$20.00

- vii. CASA: \$30.00
 - (e) \$10.00 to the Children’s Advocacy Center Fund
 - (f) \$2.00 to the State’s Attorney Records Automation Fund
 - (g) \$2.00 to the Public Defender Records Automation Fund
 - (h) \$20.00 to the County Jail Medical Costs Fund
 - (i) \$20.00 to the Probation and Court Services Fund
- (2) \$1,110.00 to the State Treasurer
 - (3) \$200.00 to the treasurer of the unit of local government of the arresting agency

3. SCHEDULE 3: Felony Drug Offenses

a. The Clerk shall collect \$2,215.00 and remit as follows:

- (1) \$354.00 shall be deposited as follows:
 - (a) \$20.00 to the Court Automation Fund
 - (b) \$20.00 to the Court Document Storage Fund
 - (c) \$5.00 to the Circuit Court Clerk Operation and Administrative Fund
 - (d) \$255.00 to the County General Fund to be distributed as follows:
 - i. Circuit Clerk Filing Cost: \$51.00
 - ii. State’s Attorney Fund: \$30.00
 - iii. Court Security Fund: \$64.00
 - iv. Court System Fine: \$50.00
 - v. Drug/Specialty Court: \$10.00
 - vi. Children’s Advocacy Center Fund: \$20.00
 - vii. CASA: \$30.00
 - (e) \$10.00 to the Children’s Advocacy Center Fund
 - (f) \$2.00 to the State’s Attorney Records Automation Fund
 - (g) \$2.00 to the Public Defender Records Automation Fund
 - (h) \$20.00 to the County Jail Medical Costs Fund
 - (i) \$20.00 to the Probation and Court Services Fund
- (2) \$1,861.00 to the State Treasurer

4. SCHEDULE 4: Felony Sex Offenses

a. The Clerk shall collect \$1,314.00 and remit as follows:

- (1) \$354.00 shall be deposited as follows:
 - (a) \$20.00 to the Court Automation Fund
 - (b) \$20.00 to the Court Document Storage Fund
 - (c) \$5.00 to the Circuit Court Clerk Operation and Administrative Fund
 - (d) \$255.00 to the County General Fund to be distributed as follows:
 - i. Circuit Clerk Filing Cost: \$51.00
 - ii. State’s Attorney Fund: \$30.00
 - iii. Court Security Fund: \$64.00
 - iv. Court System Fine: \$50.00

- v. Drug Court/Specialty: \$10.00
- vi. Children's Advocacy Center Fund: \$20.00
- vii. CASA: \$30.00
- (e) \$10.00 to the Children's Advocacy Center Fund
- (f) \$2.00 to the State's Attorney Records Automation Fund
- (g) \$2.00 to the Public Defender Records Automation Fund
- (h) \$20.00 to the County Jail Medical Costs Fund
- (i) \$20.00 to the Probation and Court Services Fund

(2) \$960.00 to the State Treasurer

5. SCHEDULE 5: Generic Misdemeanor Offenses

a. The Clerk shall collect \$439.00 and remit as follows:

(4) \$282.00 shall be deposited as follows:

- (j) \$20.00 to the Court Automation Fund
- (k) \$20.00 to the Court Document Storage Fund
- (l) \$5.00 to the Circuit Court Clerk Operation and Administrative Fund
- (m) \$8.00 to the Circuit Court Clerk Electronic Citation Fund
- (n) \$185.00 to the County General Fund to be distributed as follows:
 - viii. Circuit Clerk Filing Cost: \$26.00
 - ix. State's Attorney Fund: \$10.00
 - x. Court Security Fund: \$64.00
 - xi. Court System Fine: \$25.00
 - xii. Drug/Specialty Court: \$10.00
 - xiii. Children's Advocacy Center Fund: \$20.00
 - xiv. CASA: \$30.00
- (o) \$10.00 to the Children's Advocacy Center Fund
- (p) \$2.00 to the State's Attorney Records Automation Fund
- (q) \$2.00 to the Public Defender Records Automation Fund
- (r) \$10.00 to the County Jail Medical Costs Fund
- (s) \$20.00 to the Probation and Court Services Fund

(5) \$155.00 to the State Treasurer

(6) \$2.00 to the treasurer of the unit of local government of the arresting agency

6. SCHEDULE 6: Misdemeanor DUI Offenses

a. The Clerk shall collect \$1,381.00 and remit as follows:

(1) \$322.00 shall be deposited as follows:

- (a) \$20.00 to the Court Automation Fund
- (b) \$20.00 to the Court Document Storage Fund
- (c) \$5.00 to the Circuit Court Clerk Operation and Administrative Fund
- (d) \$8.00 to the Circuit Court Clerk Electronic Citation Fund
- (e) \$225.00 to the County General Fund to be distributed as follows:
 - i. Circuit Clerk Filing Cost: \$66.00

- ii. State's Attorney Fund: \$10.00
 - iii. Court Security Fund: \$64.00
 - iv. Court System Fine: \$25.00
 - v. Drug/Specialty Court: \$10.00
 - vi. Children's Advocacy Center Fund: \$20.00
 - vii. CASA: \$30.00
 - (f) \$10.00 to the Children's Advocacy Center Fund
 - (g) \$2.00 to the State's Attorney Records Automation Fund
 - (h) \$2.00 to the Public Defender Records Automation Fund
 - (i) \$10.00 to the County Jail Medical Costs Fund
 - (j) \$20.00 to the Probation and Court Services Fund
- (2) \$707.00 to the State Treasurer
- (3) \$352.00 to the treasurer of the unit of local government of the arresting agency

7. SCHEDULE 7: Misdemeanor Drug Offenses

a. The Clerk shall collect \$905.00 and remit as follows:

- (1) \$282.00 shall be deposited as follows:
- (a) \$20.00 to the Court Automation Fund
 - (b) \$20.00 to the Court Document Storage Fund
 - (c) \$5.00 to the Circuit Court Clerk Operation and Administrative Fund
 - (d) \$8.00 to the Circuit Court Clerk Electronic Citation Fund
 - (e) \$185.00 to the County General Fund to be distributed as follows:
 - i. Circuit Clerk Filing Cost: \$26.00
 - ii. State's Attorney Fund: \$10.00
 - iii. Court Security Fund: \$64.00
 - iv. Court System Fine: \$25.00
 - v. Drug/Specialty Court: \$10.00
 - vi. Children's Advocacy Center Fund: \$20.00
 - vii. CASA: \$30.00
 - (f) \$10.00 to the Children's Advocacy Center Fund
 - (g) \$2.00 to the State's Attorney Records Automation Fund
 - (h) \$2.00 to the Public Defender Records Automation Fund
 - (i) \$10.00 to the County Jail Medical Costs Fund
 - (j) \$20.00 to the Probation and Court Services Fund
- (2) \$621.00 to the State Treasurer
- (3) \$2.00 to the treasurer of the unit of local government of the arresting agency

8. SCHEDULE 8: Misdemeanor Sex Offenses

a. The Clerk shall collect \$1,184.00 and remit as follows:

- (1) \$282.00 shall be deposited as follows:
- (a) \$20.00 to the Court Automation Fund

- (b) \$20.00 to the Court Document Storage Fund
- (c) \$5.00 to the Circuit Court Clerk Operation and Administrative Fund
- (d) \$8.00 to the Circuit Court Clerk Electronic Citation Fund
- (e) \$185.00 to the County General Fund to be distributed as follows:
 - i. Circuit Clerk Filing Cost: \$26.00
 - ii. State's Attorney Fund: \$10.00
 - iii. Court Security Fund: \$64.00
 - iv. Court System Fine: \$25.00
 - v. Drug/Specialty Court: \$10.00
 - vi. Children's Advocacy Center Fund: \$20.00
 - vii. CASA: \$30.00
- (f) \$10.00 to the Children's Advocacy Center Fund
- (g) \$2.00 to the State's Attorney Records Automation Fund
- (h) \$2.00 to the Public Defender Records Automation Fund
- (i) \$10.00 to the County Jail Medical Costs Fund
- (j) \$20.00 to the Probation and Court Services Fund

(2) \$900.00 to the State Treasurer

(3) \$2.00 to the treasurer of the unit of local government of the arresting agency

9. SCHEDULE 9: Major Traffic Offenses

a. The Clerk shall collect \$325.00 and remit as follows:

(1) \$203.00 shall be deposited as follows:

- (a) \$20.00 to the Court Automation Fund
- (b) \$20.00 to the Court Document Storage Fund
- (c) \$5.00 to the Circuit Court Clerk Operation and Administrative Fund
- (d) \$8.00 to the Circuit Court Clerk Electronic Citation Fund
- (e) \$150.00 to the County General Fund to be distributed as follows:
 - i. Circuit Clerk Filing Cost: \$51.00
 - ii. State's Attorney Fund: \$25.00
 - iii. Court Security Fund: \$64.00
 - iv. Drug/Specialty Court: \$10.00

(2) \$97.00 to the State Treasurer

(3) \$25.00 to the treasurer of the unit of local government of the arresting agency

10. SCHEDULE 10: Minor Traffic Offenses

a. The Clerk shall collect \$226.00 and remit as follows:

(1) \$168.00 shall be deposited as follows:

- (a) \$20.00 to the Court Automation Fund
- (b) \$20.00 to the Court Document Storage Fund
- (c) \$5.00 to the Circuit Court Clerk Operation and Administrative Fund

- (d) \$8.00 to the Circuit Court Clerk Electronic Citation Fund
- (e) \$115.00 to the County General Fund to be distributed as follows:
 - i. Circuit Clerk Filing Cost: \$31.00
 - ii. State's Attorney Fund: \$10.00
 - iii. Court Security Fund: \$64.00
 - iv. Drug/Specialty Court: \$10.00

(2) \$46.00 to the State Treasurer

(3) \$12.00 to the treasurer of the unit of local government of the arresting agency

11. SCHEDULE 10.5: Truck Weight and Load Offenses

a. The Clerk shall collect \$260.00 and remit as follows:

(1) \$168.00 shall be deposited as follows:

- (a) \$20.00 to the Court Automation Fund
- (b) \$20.00 to the Court Document Storage Fund
- (c) \$5.00 to the Circuit Court Clerk Operation and Administrative Fund
- (d) \$8.00 to the Circuit Court Clerk Electronic Citation Fund
- (e) \$115.00 to the County General Fund to be distributed as follows:
 - i. Circuit Clerk Filing Cost: \$31.00
 - ii. State's Attorney Fund: \$10.00
 - iii. Court Security Fund: \$64.00
 - iv. Drug/Specialty Court: \$10.00

(2) \$92.00 to the State Treasurer

12. SCHEDULE 11: Conservation Offenses

a. The Clerk shall collect \$195.00 and remit as follows:

(1) \$168.00 shall be deposited as follows:

- (a) \$20.00 to the Court Automation Fund
- (b) \$20.00 to the Court Document Storage Fund
- (c) \$5.00 to the Circuit Court Clerk Operation and Administrative Fund
- (d) \$8.00 to the Circuit Court Clerk Electronic Citation Fund
- (e) \$115.00 to the County General Fund to be distributed as follows:
 - i. Circuit Clerk Filing Cost: \$31.00
 - ii. State's Attorney Fund: \$10.00
 - iii. Court Security Fund: \$64.00
 - iv. Drug/Specialty Court: \$10.00

(2) \$25.00 to the State Treasurer

(3) \$2.00 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 Traffic Offenses)

a. The Clerk shall collect \$164.00 and remit as follows:

(1) \$100.00 shall be deposited as follows:

- (a) \$20.00 to the Court Automation Fund
- (b) \$20.00 to the Court Document Storage Fund
- (c) \$5.00 to the Circuit Court Clerk Operation and Administrative Fund
- (d) \$8.00 to the Circuit Court Clerk Electronic Citation Fund
- (e) \$47.00 to the County General Fund to be distributed as follows:
 - i. Circuit Clerk Filing Cost: \$37.00
 - ii. Drug/Specialty Court: \$10.00

(2) \$14.00 to the State Treasurer

(3) \$50.00 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

a. The Clerk shall collect \$100.00 and remit as follows:

(1) \$75.00 shall be deposited as follows:

- (a) \$20.00 to the Court Automation Fund
- (b) \$20.00 to the Court Document Storage Fund
- (c) \$5.00 to the Circuit Court Clerk Operation and Administrative Fund
- (d) \$8.00 to the Circuit Court Clerk Electronic Citation Fund
- (e) \$22.00 to the County General Fund to be distributed as follows:
 - i. Circuit Clerk Filing Cost: \$5.00
 - ii. Court Security Fund: \$12.00
 - iii. Drug/Specialty Court: \$5.00

(2) \$25.00 to the treasurer of the unit of local government of the arresting agency

C. Unpaid Assessments.

1. Unless a court ordered payment schedule is implemented or the assessment requirements of this Section are waived by court order, the Clerk is authorized to add to any unpaid assessments a delinquency amount equal to 15% of the unpaid assessments that remain unpaid after 90 days.
2. Delinquency amounts collected pursuant to this provision shall be deposited into the Circuit Court Clerk Operation and Administrative Fund to defray additional administrative costs incurred by the Clerk in collecting unpaid assessments.

To the extent any conflict exists within prior DeKalb County Ordinances and Resolutions, this Ordinance shall supersede them and said prior Resolutions and Ordinances are hereby repealed and replaced to the extent such conflict exists.

This Resolution shall be in full force and effect forthwith upon its adoption and approval.

BE IT FURTHER ORDAINED, that this Ordinance shall be effective on January 1, 2023.

PASSED THIS 15th DAY OF MARCH, 2023 AT SYCAMORE, ILLINOIS.

ATTEST:

SIGNED:

Tasha Sims
DeKalb County Clerk

Suzanne Willis
County Board Chairperson

**DEKALB COUNTY ADULT COURT SERVICES
MONTHLY REPORT
FISCAL YEAR 2023**

PROBATION

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.
Pre-Sentence Investigation Ordered	4											
Pre-Sentence Investigation Completed	2											
New Reporting Probation Cases	23											
*Felony	20											
*Misdemeanor	23											
Total Reporting Probation Cases	413											
Non-Reporting Cases (Administrative)	770											
Cases Received from Outside Jurisdiction	11											
Cases Transferred to Outside Jurisdiction	7											
Technical Violation Reported	7											
Criminal Violation Reported	9											
Tech. - No Violation Found by Court	0											
Tech. - Violation Found by Court	3											
Criminal - No Violation Found by Court	0											
Criminal - Violation Found by Court	4											
Successful Probation Terminations	15											

4

COMMUNITY RESTITUTION SERVICE (community service)

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.
New Adult Cases	17											
# Hours Ordered	2,425											
# Hours Completed	2,851											
New Juvenile Cases	0											
# Hours Ordered	0											
# Hours Completed	0											

Pre-Sentence Investigations

Illinois Statutes require the preparation of offender background reports for the judiciary prior to a sentence being imposed. The reports include: (1) investigation of the offender's criminal history, including previous terms of community supervision or incarceration, past or present gang involvement, and history of violence and use of weapons; (2) the offender's personal information, including family of origin, current residence and family relations, educational and employment histories, financial situation, and military history; (3) the offender's health information, including physical health, mental health, drug and/or alcohol addiction histories, and any previous treatment history. The officers analyze the data they have collected and make specific recommendations as to the potential for rehabilitation, risk to the community, and sentencing options available to the Courts.

Non-Reporting Probation Cases

Defendants sentenced to Conditional Discharge are typically not required to check in directly with Probation, however officers monitor conditions of sentencing and perform functions such as preparing court reports, random drug testing, DNA collection, etc. Probation cases that are transferred to another jurisdiction for supervision are also monitored administratively by Court Services staff.

Technical Violation

A technical violation is when a defendant under an order of Probation violates one or more conditions set by the court in their sentencing order. Common examples include failing a drug test, not reporting to scheduled probation appointments, not completing court ordered treatment, etc.

Criminal Violation

A criminal violation is when a defendant under an order of Probation is charged with a new criminal offense.

FY 2023

JUVENILE PLACEMENT/DETENTION REPORT

<u>PLACEMENT</u>	Jan	Feb	Mar	Apr	May	June	July	Aug.	Sept	Oct	Nov	Dec
Residential placements at start of mo.	0											
Minors placed during the month	0											
Minors released during the month	0											
Residential placements at end of mo.	0											

<u>DETENTION</u>	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Detained minors at start of month	3											
Minors detained during the month	12											
Minors released during the month	11											
Detained minors at end of month	4											

Monthly Detention Expenditure	\$22,800											
Year to Date Expenditure	\$22,800											
Percent of Budget Expended to Date	17.5%											

FY2023 budget: \$130,000

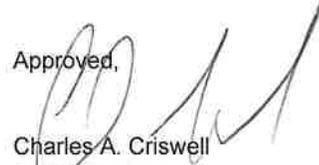
Total number residential placements	0
Total number of minors detained	12

Respectfully submitted,



Lisa A. Reser
Office Manager

Approved,



Charles A. Criswell
Public Defender
DeKalb County, Illinois

cc: Honorable Bradley J. Waller

2023 JANUARY

ATTORNEY	TOTAL COUNT
AIELLO CLIENTS	187
AIELLO CASES	215
BACCAM CLIENTS	88
BACCAM CASES	187
CARLSON CLIENTS	79
CARLSON CASES	151
CRISWELL CLIENTS	128
CRISWELL CASES	257
CROWLEY CLIENTS	192
CROWLEY CASES	315
DIETRICH CLIENTS	102
DIETRICH CASES	235
FRANKLIN CLIENTS	178
FRANKLIN CASES	273
CLIENTS	100
CASES	175
HENIFF CLIENTS	110
HENIFF CASES	244



