ORDINANCE
O2026-001

AN ORDINANCE AMENDING CIVIL FEES AS DIRECTED BY THE ILLINOIS SUPREME 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, on April 26, 2025, The Illinois Supreme Court entered an Amended Order wherein they ordered that effective October 1, 2025, the assessment of civil filing fees and categorization of case were to be amended by each of the Circuit Courts as are articulated herein.

NOW, THEREFORE, BE IT RESOLVED that the foregoing recitals are hereby incorporated into this section as if fully reinstated herein.

NOW, THEREFORE, BE IT FURTHER RESOLVED that in accordance with the April 26, 2025 Order of the Illinois Supreme Court and the statutes cited above, the DeKalb County Circuit Court fees and schedules are hereby modified as follows:

- Schedule 2 under 705 ILCS 105/27.1b(a)(2) is amended as follows:
  - GUARDIANSHIP (GR), <u>except cases for Guardianship of a Minor</u>.

- Schedule 4 under 705 ILCS 105/27.1b(a)(4) is amended as follows:
  - <u>GUARDIANSHIP (GR) cases for Guardianship of a Minor</u>.

- Schedule 2 under 705 ILCS 105/27.1b(b)(1) is amended as follows:

- GUARDIANSHIP (GR) cases, except cases for Guardianship of a Minor
- ~~SMALL CLAIMS (SC) cases where the amount in controversy is $2,500.01 or more~~

- Schedule 2 under 705 ILCS 105/27.1b(b)(2) is amended as follows:
  - ~~SMALL CLAIMS (SC) cases where the amount in controversy is $2,500.01 or less~~

- Schedule 3 under 705 ILCS 105/27.1b(b)(3) is amended as follows:
  - GUARDIANSHIP (GR) cases for Guardianship of a Minor
  - SMALL CLAIMS (SC) cases

NOW, THEREFORE, BE IT FURTHER RESOLVED, that 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.

BE IT FURTHER ORDAINED, that this Ordinance shall be retroactively effective on October 1, 2025.

PASSED THIS 18th day of February, 2026 AT SYCAMORE, ILLINOIS.

ATTEST:

Tasha Sims
DeKalb County Clerk

SIGNED:

John Frieders
County Board Chairperson