



Supreme Court of Illinois

February 13, 2019

SUPREME COURT ANNOUNCES CHANGES TO MAKE COURT COSTS MORE MANAGEABLE

Chief Justice Lloyd A. Karmeier and the Illinois Supreme Court announced today multiple changes to the assessment system by which fees, fines, and other court costs are paid by civil and criminal case litigants. These changes are a result of Public Act 100-0987, which was passed by the legislature in 2018 in order to simplify the imposition, collection, and distribution of court assessments. The changes include Civil Assessment Schedules as well as fee waivers in amended Rule 298 and new Rule 404. The changes are effective July 1, 2019, and the new assessment structure, not including the waivers, expires January 1, 2021.

Changes to the assessment system were proposed by the 15-member Statutory Court Fee Task Force, a bipartisan body of judges, retired judges, legislators, circuit clerks, and members of the private bar from across the state. In a wide ranging study, the Task Force found that a large number of filing fees on litigants in civil cases and court costs on defendants in criminal cases result in excessive financial impact on citizens, particularly those near poverty. It was additionally discovered that assessments could be significantly inconsistent from county to county even for the same type of proceedings.

“The court’s implementation of the new civil filing and appearance fee schedules and amendments to Supreme Court Rules 298 and the creation of new Rule 404 are the welcome culmination of a concerted effort by all three branches of government to address the confusion, inconsistency and financial hardship caused by the old system for assessing fines and fees,” Illinois Supreme Court Chief Justice Lloyd A. Karmeier said. “Although the changes originated with the Statutory Fee Task Force – with the direct input and support of the Administrative Office of the Illinois Courts – they could not have come to fruition without supporting legislation enacted by the General Assembly and signed by former Gov. Rauner.

“Addressing the tangle of fees, fines, surcharges and other costs faced by civil and criminal litigants has been one of the most vexing challenges confronting our justice system. Today’s reforms represent a giant step forward in addressing that challenge. The court is confident that implementing these changes will help us achieve a system of justice that is easier to administer, more consistent in its application, and more accessible by the People of Illinois. We are grateful to the Statutory Fee Task Force, the circuit clerks, the legislature and the governor for their critical roles in making this possible.”

The amendment to Rule 298 expands the existing civil fee waiver provision to allow partial waivers for litigants who may not qualify for a full waiver. New Rule 404 creates similar full and partial fee waivers for criminal defendants.

Amended Supreme Court Rule 298 and new Supreme Court Rule 404 are available on the Court website [here](#).

“With today’s action by the Supreme Court, our State has taken an important step forward in pursuit of the goal of making Illinois courts accessible to all, regardless of financial circumstance,” said Steven F. Pflaum, Chair of the Statutory Court Fee Task Force. “In one sense, the Court’s promulgation of court rules implementing recent legislation overhauling fees and costs in civil, criminal, and traffic cases represents the culmination of a multi-year, concerted effort by all three branches of State government to address a dizzying array of filing fees in civil cases and court costs imposed on defendants in criminal and traffic cases. In a larger sense, today’s action simply marks a milestone, albeit an important one, in the never-ending effort to reduce economic and other barriers to access to justice.

“The members of the Statutory Court Fee Task Force are deeply grateful to the General Assembly for passing legislation (P.A. 100-0987) that embodied the key proposals in the [Task Force Report](#). The Task Force is especially indebted to the Supreme Court for developing the Access to Justice Act that spawned the Task Force, providing crucial staff support through the dedicated services of the Administrative Office of the Illinois Courts, and guiding and assisting the Task Force throughout its existence.”

The Civil Assessment Schedules streamline the current statutory fee provisions into a framework of fee schedules identifying the maximum amounts which can be assessed in each civil case category. County boards will implement the fee amounts according to the new schedules.

“While it’s a huge undertaking for the clerks, as well as the software managers of the case management systems in each county, we are very thankful to the AOIC for the extensive training and assistance. We’ve anticipated this change for some time,” said Sandra Cianci, Kankakee County Circuit Clerk and President of the Illinois Association of Court Clerks. “Once we’ve overhauled our systems to align with legislation, and have attained uniformity of fines and fees, we will be better suited to serve the court patrons throughout the state of Illinois.”

The Civil Assessment Schedules order is available on the Supreme Court website [here](#).