



Supreme Court of Illinois  
ADMINISTRATIVE OFFICE OF THE ILLINOIS COURTS

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MEMORANDUM

**To:** Conference of Chief Circuit Judges and Circuit Clerks

**From:** Michael J. Tardy, Director

**Date:** September 9, 2016

**Re:** \$9 e-Business Civil Filing Fee (PA 99-859)

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As you likely know, legislation recently was signed into law that supports the Illinois Supreme Court's statewide e-Filing initiative. On August 19, 2016, Gov. Bruce Rauner signed Senate Bill 3162, which the Illinois General Assembly had approved during its spring legislative session. Public Act 99-859 amends the Clerk of Courts Act to require all circuit court clerks who are already assessing and collecting a Court Automation Fee pursuant to Section 37.3a(1) of the Act to also assess and collect an additional \$9 e-business fee on all new civil filings, unless the litigant has been granted a Waiver from Civil Filing Fees. County Board approval is not required for the new \$9 e-business filing fee. A copy of P.A. 99-859 can be found at: <http://www.ilga.gov/legislation/publicacts/99/PDF/099-0859.pdf>.

Per statute, assessment of the new \$9 fee shall commence on September 18, 2016, 30 days after the bill's effective date. This interim period allowed for courts and circuit clerks to make any necessary adjustments to Civil Filing Fee Schedules and case management systems to account for the new fee. Within 30 days of receipt, clerks must remit the e-business fee to the State Treasurer for deposit into the Supreme Court Special Purposes Fund. For auditing purposes, Circuit Clerks are also to remit a copy of the State Treasurer's Circuit Clerk Remittance Form to the Administrative Office of Illinois Courts, Attn: Administrative Services Division.

It is anticipated that the new \$9 e-Business Fee will generate approximately \$6 million annually. The funds will be deposited into the Supreme Court's Special Purposes Fund and will be applied toward the state court's cost of implementing and supporting the statewide Electronic Filing Manager (EFM) and state provided Electronic Filing Service Provider (EFSP).

Under Public Act 99-859, the new e-Business fee will be offset with reductions to existing filing fees. Beginning in January 2022, the maximum base fee for filing civil cases will decrease by \$6, the maximum fee for the establishment and maintenance of county children's waiting rooms will be reduced by \$2, and the maximum fee for the establishment and maintenance of county law libraries will drop by \$1.

Many of your courts have already initiated civil e-filing programs, or have begun work on implementing the civil e-filing through the statewide EFM. Your leadership and support is greatly appreciated. Please contact me should you have any questions.

c. Hon. Rita B. Garman, Chief Justice, Supreme Court of Illinois