

Kane County Court Fees

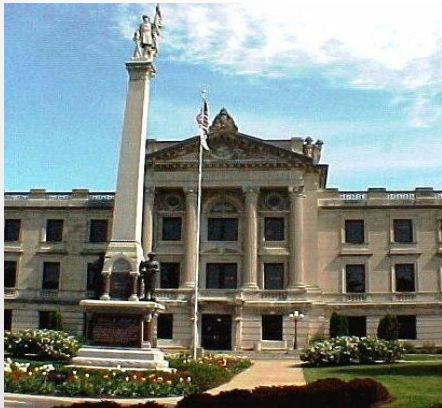


Chief Judge F. Keith Brown
Presentation to the Kane County Board
August 9, 2011

Statutorily Authorized Fee Increase

- According to 2010 Federal Census, Kane County now has a population over 500,000
- Under 500,000, fees are governed by 705 ILCS 105/27.1a
- Over 500,000, fees are governed by 705 ILCS 105/27.2
 - “The fees of the clerks of the circuit court in all counties having a population in excess of 500,000 inhabitants but less than 3,000,000 inhabitants in the instances described in this Section shall be as provided in this Section. In those instances where a minimum and maximum fee is stated, counties with more than 500,000 inhabitants but less than 3,000,000 inhabitants must charge the minimum fee listed in this Section and may charge up to the maximum fee if the county board has by resolution increased the fee.” 705 ILCS 105/27.2.

Current State of the Judiciary: Large Operation



Current State of the Judiciary: Large Operation

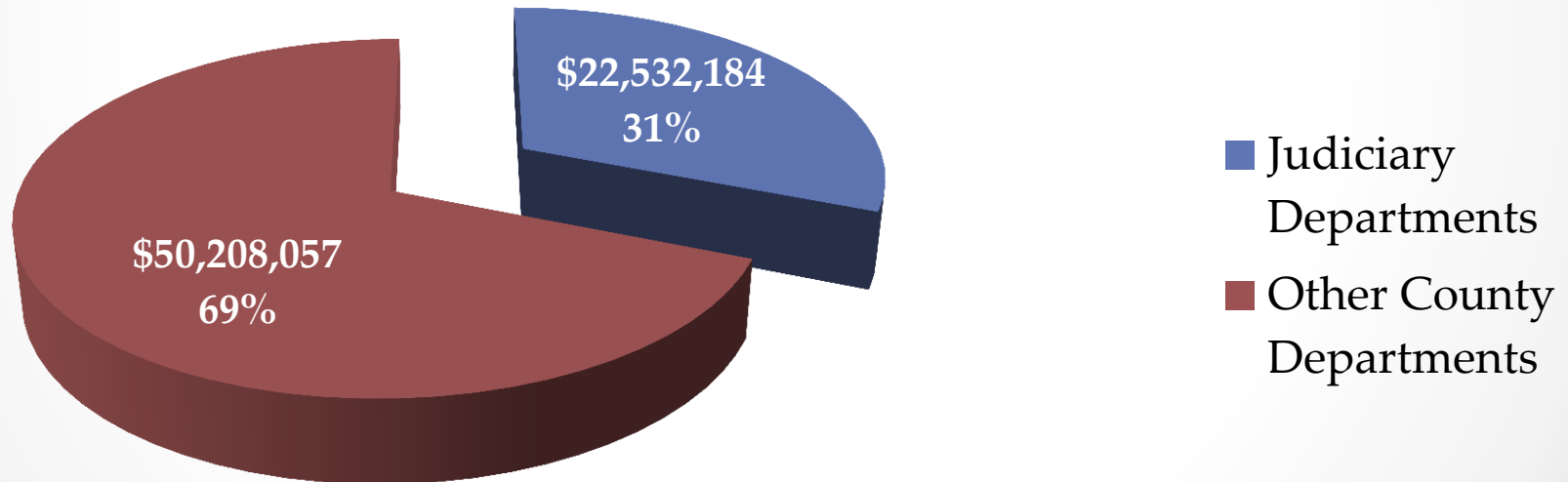
- Judiciary as a whole is comprised of several departments, all of which are impacted by court fees

Department	No. of Employees	Budget*
Judiciary	39	\$2,200,116
Circuit Clerk	96.5	\$4,160,795
State's Attorney	88	\$4,522,550
Public Defender	44	\$2,759,692
Court Services	157	\$8,889,031

*Information obtained from Kane County, Illinois Fiscal Year 2011 Budget. Budgetary information reflects General Fund revenue only

Current State of the Judiciary: Large Operation

Comparison of General Fund Revenue Received by Judiciary Departments v. Entire County Government



*Information obtained from Kane County, Illinois Fiscal Year 2011 Budget

Current Funding State of the Judiciary

- Shortfall of money to run the court system
- Mandates
 - Translators
 - Court-appointed counsel fees
 - Psychiatric and psychological evaluations

Current Funding State of the Judiciary

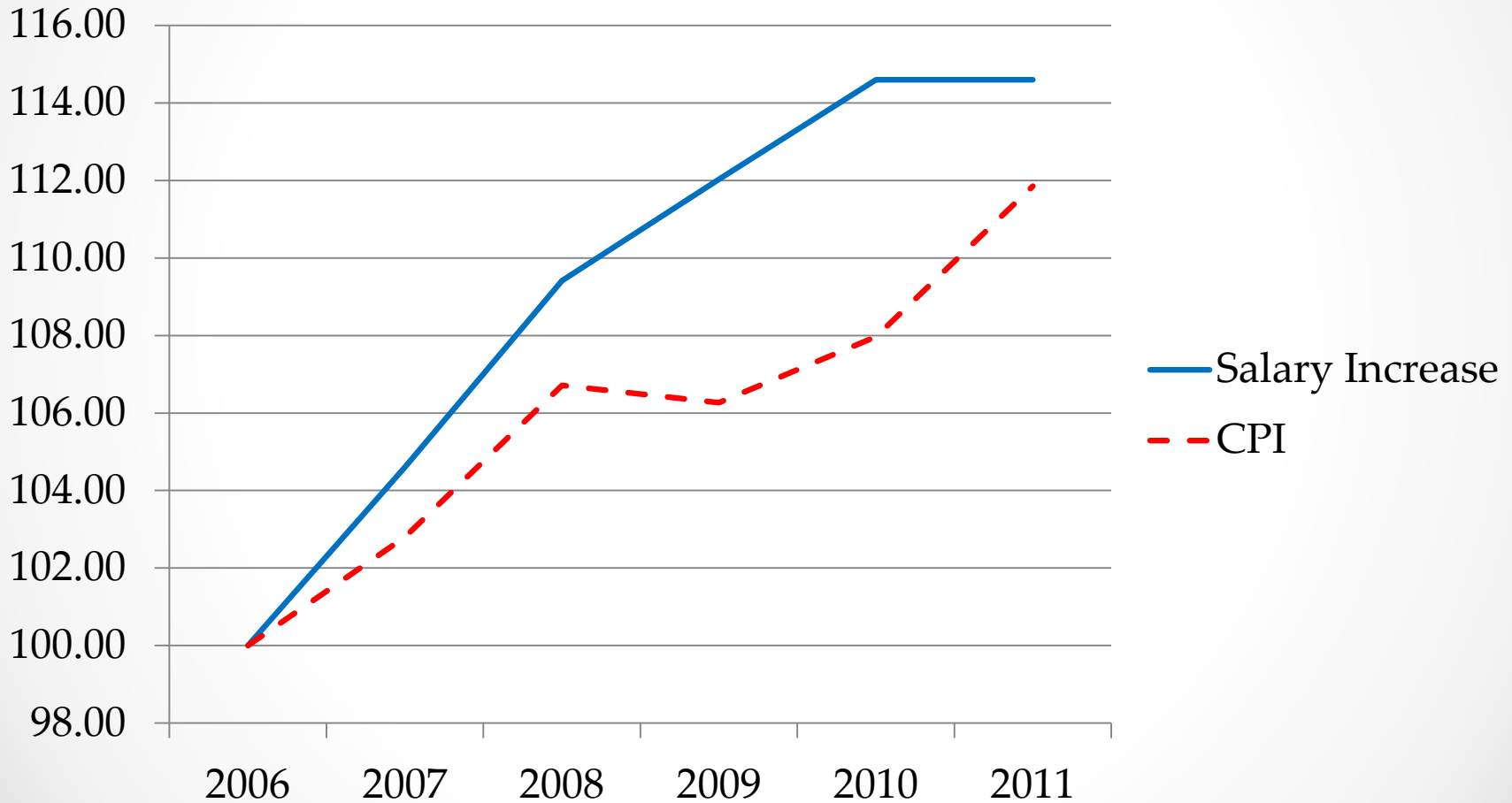
- Salaries have remained stagnant, despite increases in the consumer price index (CPI)

Year	Court Services	Judiciary	State's Attorney's Office	Public Defender	CPI
2011	0%	0%	0%	0%	3.6%*
2010	2.3%	0%	0%	0%	1.6%
2009	2.4%	1.9%**	0%	0%	-.4%
2008	4.6%	4%	0%	0%	3.8%
2007	4.6%	4%	4.3%	3%	2.8%

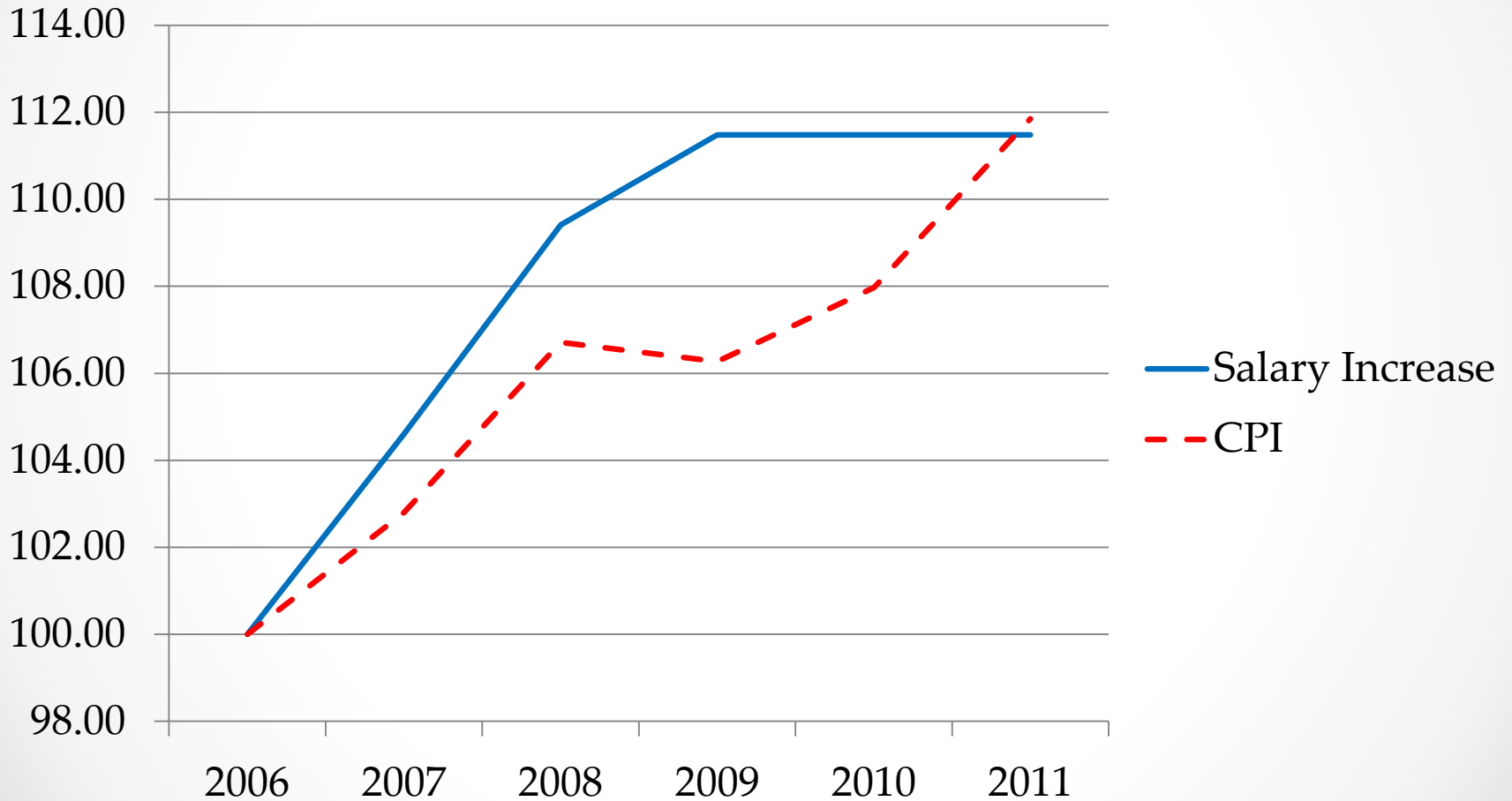
*3.6% reflects the CPI over the last 12 months, from June 2010 to June 2011

**Salary increase for 2009 was 4%, but included 5 unpaid holidays. Thus, 1.9% reflects the true salary increase amount.

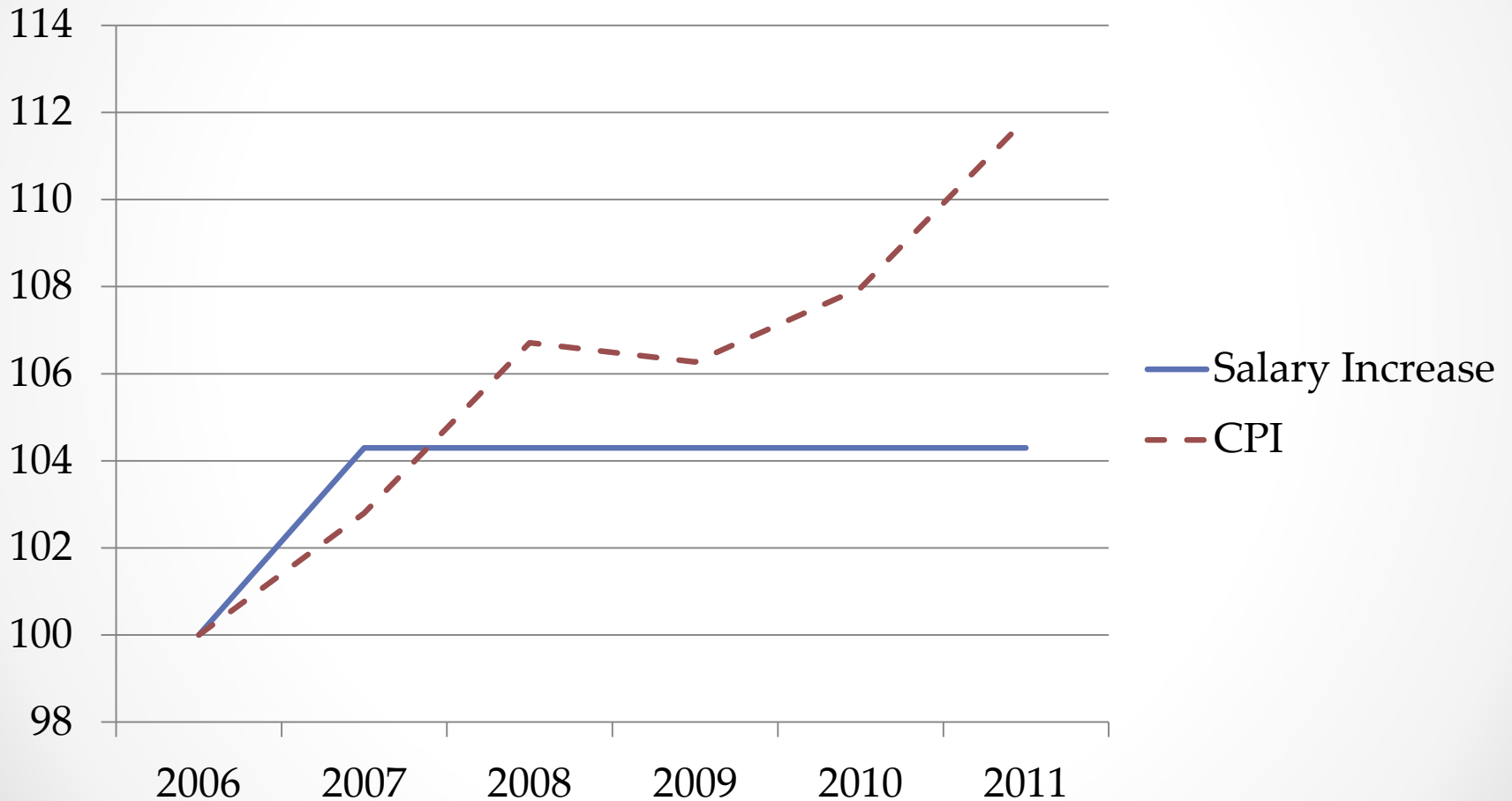
Current Salary Levels in Relation to CPI: Court Services



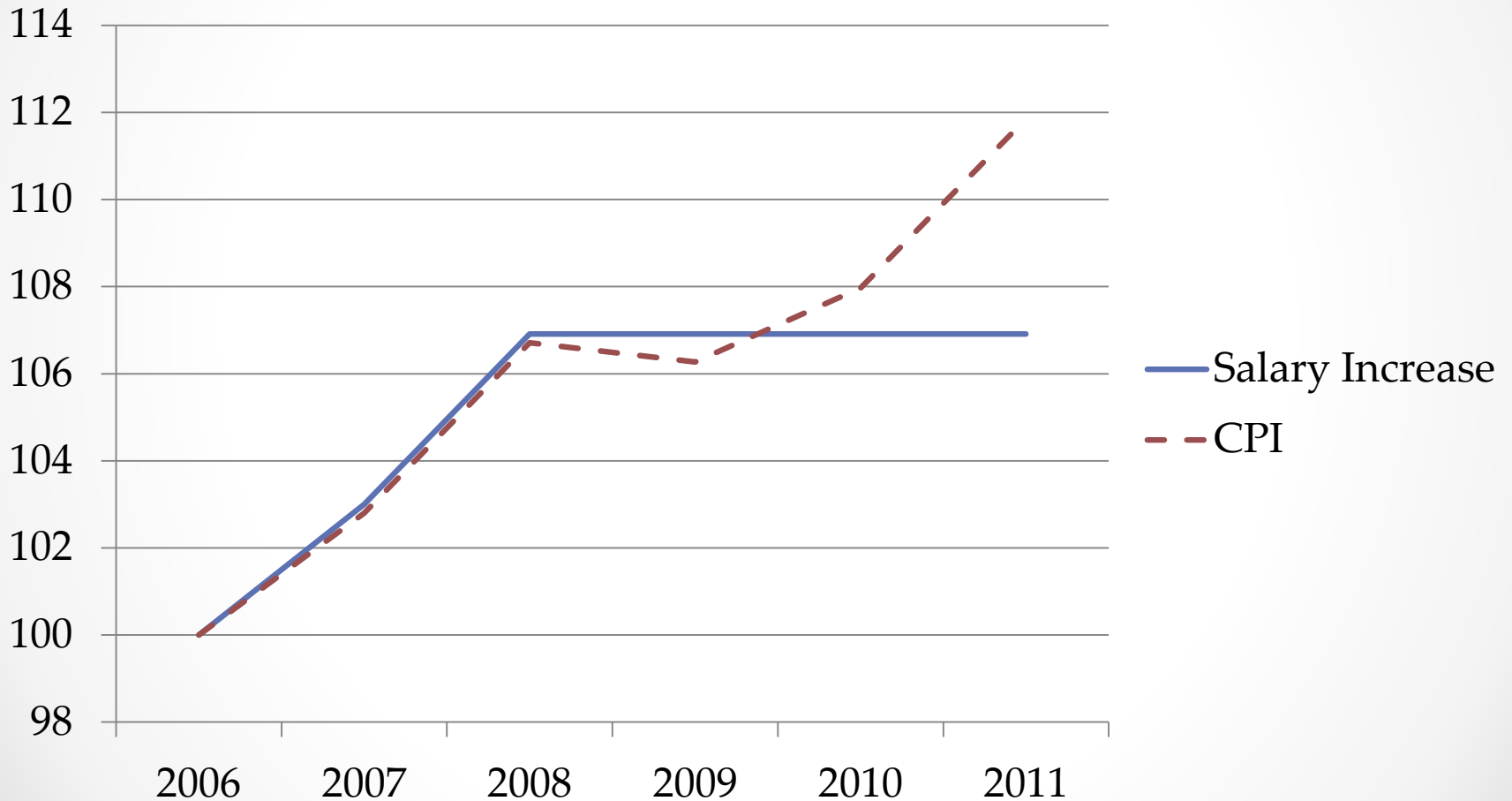
Current Salary Levels in Relation to CPI: Judiciary



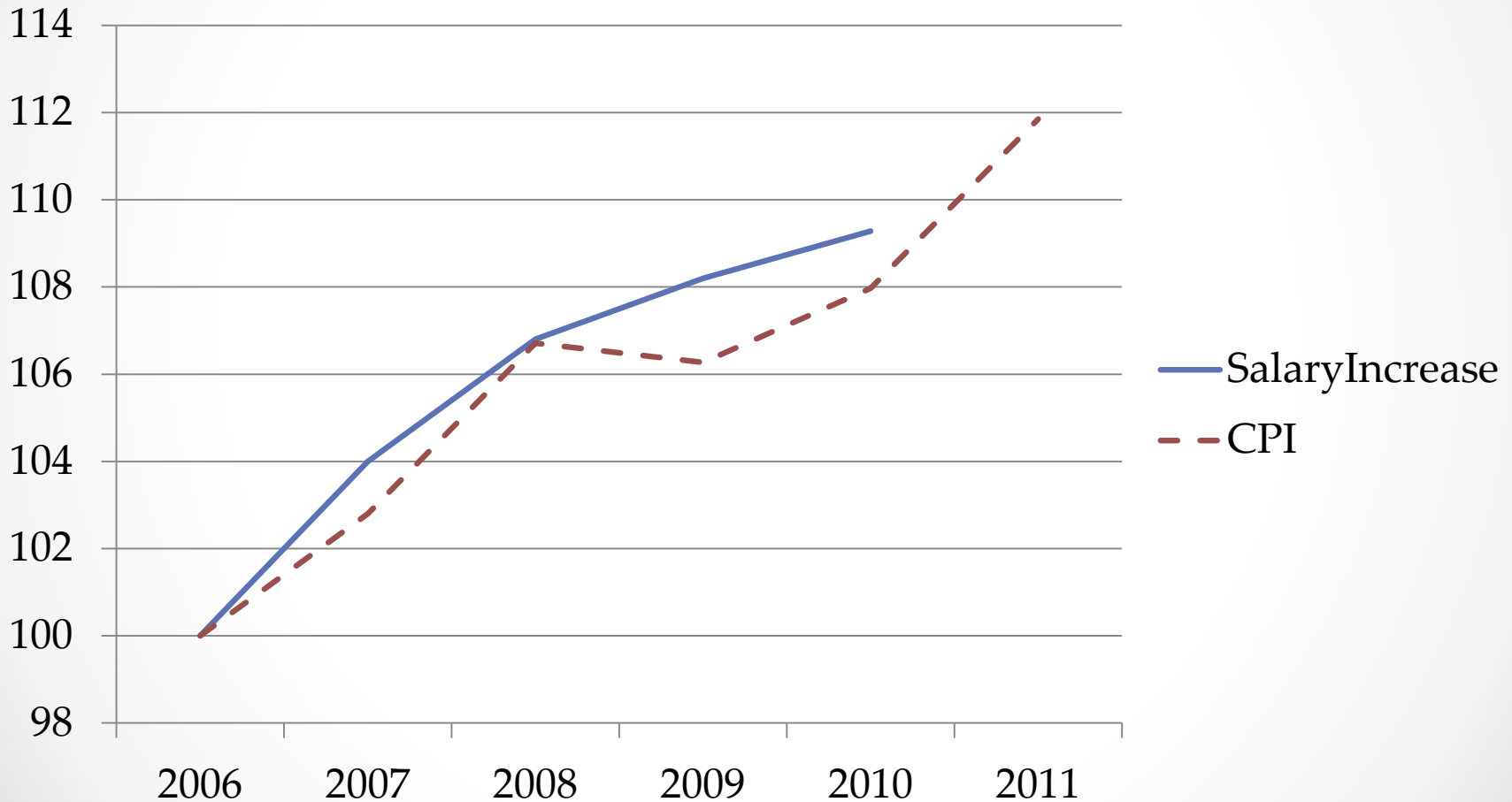
Current Salary Levels in Relation to CPI: State's Attorney



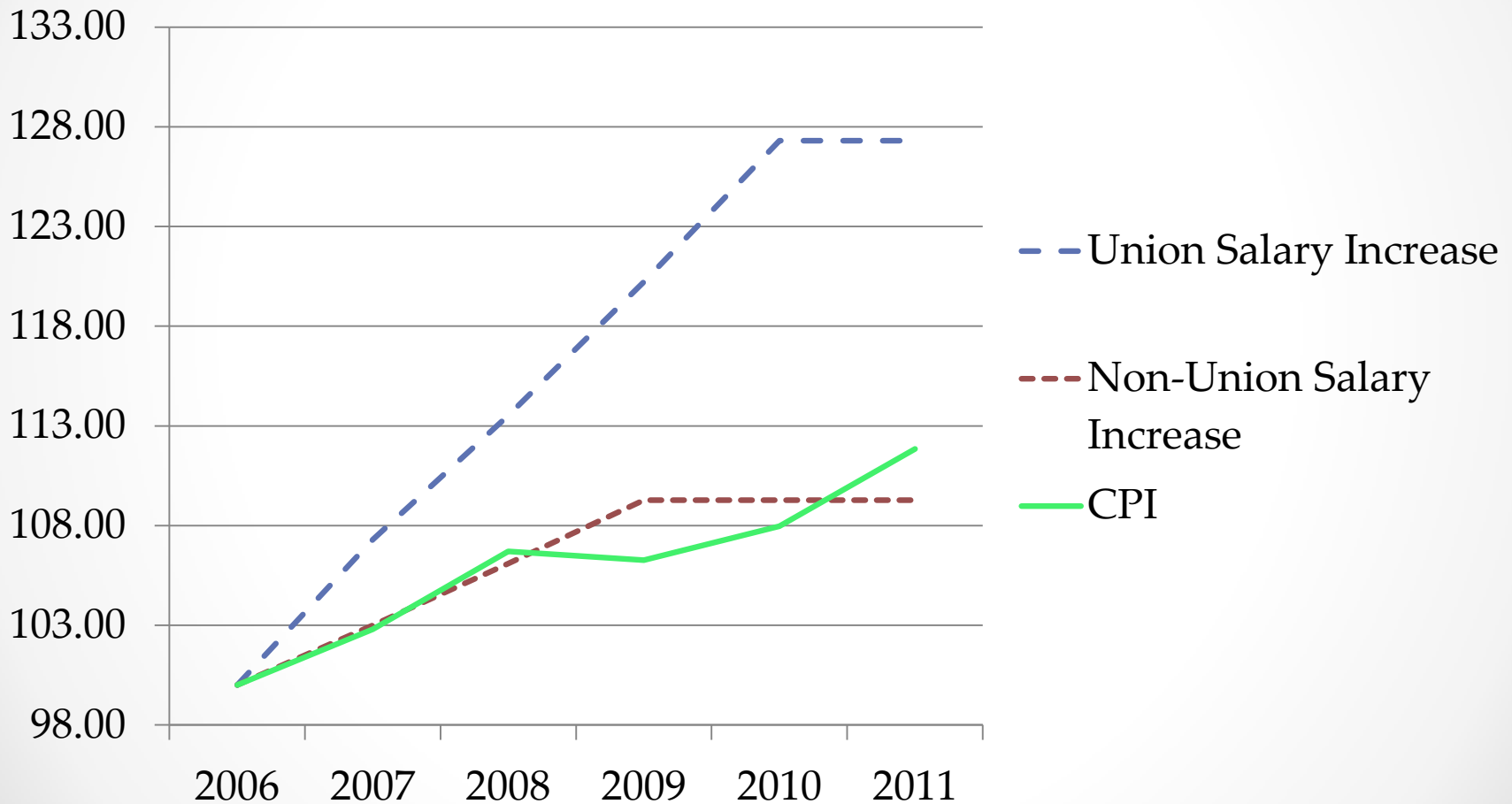
Current Salary Levels in Relation to CPI: Public Defender



Current Salary Levels in Relation to CPI: Sheriff's Corrections (Union)



Current Salary Levels in Relation to CPI: Circuit Clerk



* Deputy Clerk starting salary is \$26,000

Current Funding State of the Judiciary

- Disparity between Kane County judiciary salaries and judiciary salaries of neighboring counties of similar size
 - Article published by The Courier-News, August 2, 2011, indicated that there has been a trend over the last couple of years with assistant state's attorneys receiving their training and experience in Kane County, then leaving to accept opportunities for more money in neighboring counties
 - Article indicated that starting salary for Kane County assistant state's attorney is \$40,000, compared to \$51,600 in McHenry, \$54,100 in DuPage, \$53,700 in Lake, and \$51,600 in Will

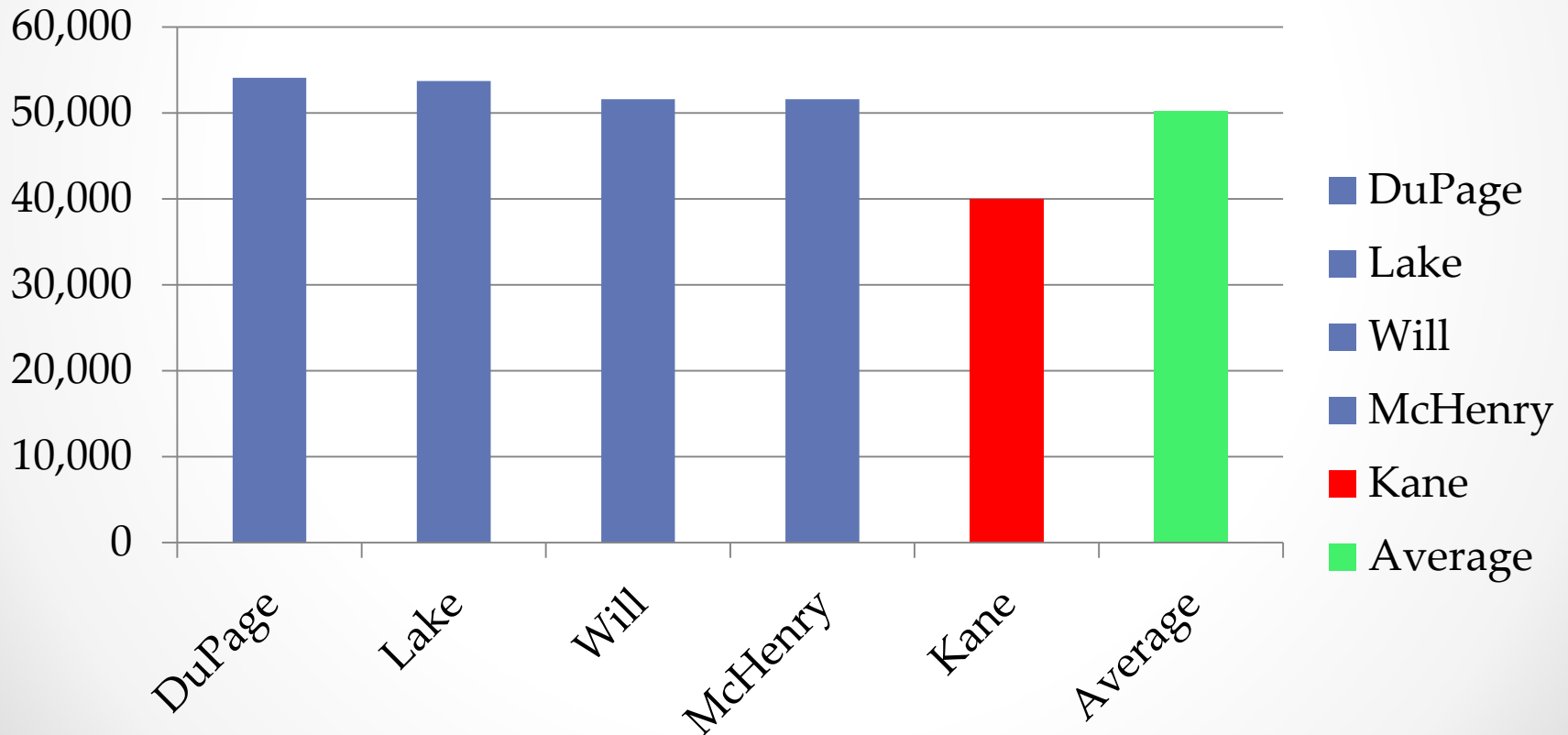
-“Kane's Top Prosecutor Seeks Pay Hikes for Attorneys,” The Courier-News, 08/02/2011

Current State of the Judiciary: State's Attorney Salary Comparison

County	Starting Salary
DuPage	\$54,100
Lake	\$53,700
Will	\$51,600
McHenry	\$51,600
Kane	\$40,000

Current State of the Judiciary: State's Attorney Salary Comparison

State's Attorney Starting Salary

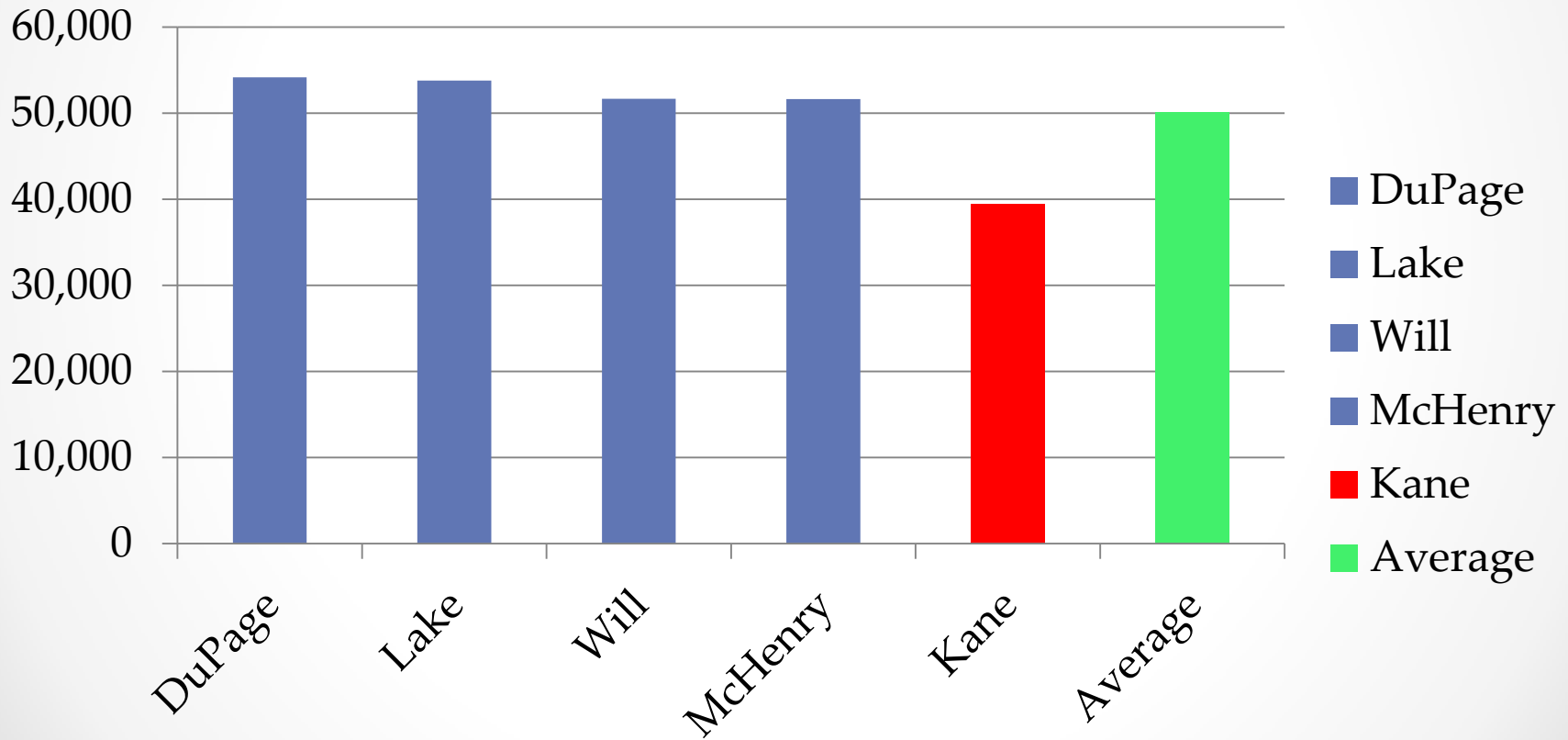


Current State of the Judiciary: Public Defender Salary Comparison

County	Starting Salary
DuPage	\$54,150
Lake	\$53,778
Will	\$51,665
McHenry	\$51,626
Kane	\$39,399

Current State of the Judiciary: Public Defender Salary Comparison

Public Defender Salary



Current State of the Judiciary: Court Services Salary Comparison

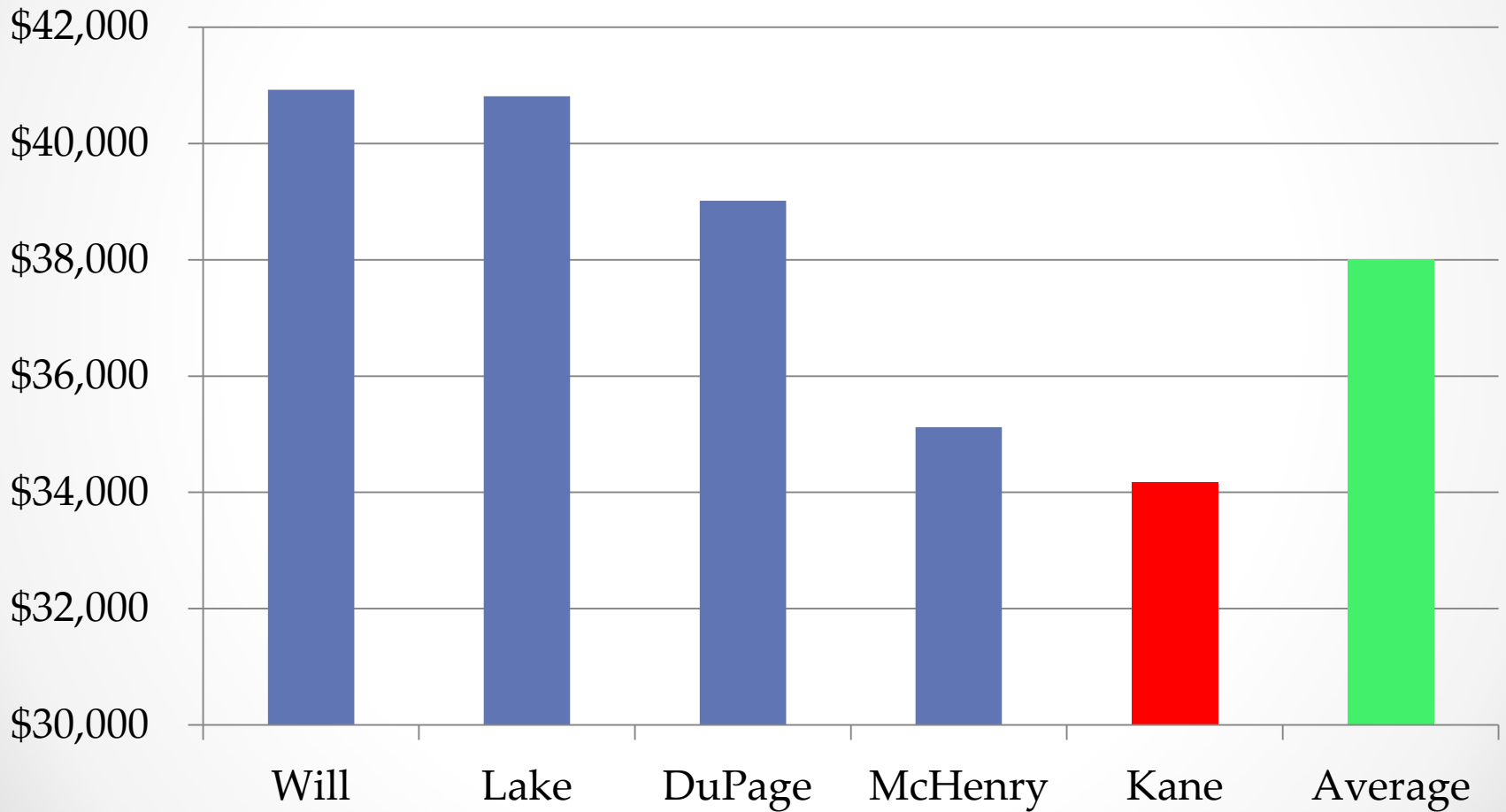
Probation Officer

County	Starting Salary	Maximum Salary
Will	\$40,922	\$61,383
Lake	\$40,810	\$58,240
DuPage	\$39,016	\$57,388
McHenry	\$35,120	\$51,012
Kane	\$34,172	\$50,259

Special Programs Probation Officer (IPS)

County	Starting Salary	Maximum Salary
Will	\$45,014	\$67,521
DuPage	\$39,999	\$59,985
McHenry	\$39,059	\$57,369
Kane	\$36,749	\$54,123

Court Services Salary Survey



Current State of the Judiciary: Sheriff's Salary Comparison

Corrections

- Starting salary as of 2010: \$43,212
- After six years, top step salary: \$66,372

Deputies

Year	Probationary Salary	Step One Salary	Step Two Salary
2006	\$42,936	\$47,712	\$63,816
2007	\$44,652	\$49,620	\$66,372
2008	\$46,440	\$51,600	\$69,024
2009	\$48,300	\$53,644	\$71,784

Future of the Judiciary: Continued Growth & Need for Funding

- Kane County to receive four new judges
 - Implications of additional Judges:
 - Technology
 - Physical Space
 - Additional Staff
- Need for new Case Management System
 - Estimated to cost \$5-12 million, according to preliminary numbers from County's URL study

State of the Judiciary: Need for Increased Fees

Additional revenues needed for:

1. Technology
2. Growth
3. Competitive Wage Scale

Fee Increase

- Pursuant to 705 ILCS 105/27.2, the County Board is authorized to increase court fees.

Filing	Current Fee	Fee Range	Proposed Fee	Lake Fee	DuPage Fee
Civil filing: Generally, subject to the below exemptions:	\$150	\$150 - \$190	\$190	\$190	\$190
Damages \$251-\$1000	\$20-\$30	\$20-\$40	\$40	\$28	\$40
Damages \$1,001-\$2,500	\$30	\$30-\$50	\$50	\$38	\$50
Damages \$2,501-\$5,000	\$75	\$75-\$100	\$100	\$85	\$100
Eminent Domain	\$150	\$150-\$225	\$225	\$225	\$225
Forcible Entry & Detainer: Possession only or Damages ≤ \$15,000	\$40	\$40-\$75	\$75	\$75	\$75
Damages > \$15,000	\$150	\$150-\$225	\$225	\$225	\$225

Fee Increase

Filing	Current Fee	Fee Range	Proposed Fee	Lake Fee	DuPage Fee
Civil Appearance: Generally, subject to below exceptions:	\$50	\$50-\$75	\$75	\$75	\$75
Damages \leq \$1,500	\$20	\$20-\$40	\$40	\$40	\$40
Damages \$1,501-\$15,000	\$40	\$40-\$60	\$60	\$60	\$60
Probate Administration of Estate	\$100	\$100-\$150	\$150	\$150	\$150
Administration of Estate: Property \leq \$15,000	\$25	\$25-\$40	\$40	\$40	\$40
Filing a claim: \$500-\$9,999	\$25	\$25-40	\$40	\$40	\$40
Filing a claim: \geq \$10,000	\$40	\$40-60	\$60	\$60	\$60

Fee Increase

Filing	Current Fee	Fee Range	Proposed Fee	Lake Fee	DuPage Fee
Probate Filing a claim-equitable relief	\$40	\$40-\$60	\$60	\$60	\$60
Jury Demand	\$102.50	\$137.50	\$137.50	\$137.50	\$137.50
Disposition of the collection of judgment or settlement	\$30	\$30-\$50	\$50	\$50	\$50
Tax Deeds Petition with one parcel	\$150	\$150-\$250	\$250	\$250	\$250

Potential Revenue

Based on the number of filings in 2010,
an increase in fees could yield...

\$1,144,611.00 in revenue

The number of future filings is expected to increase from the
2010 numbers, thereby generating additional revenue

County Board Authority

Board resolution is required in order to authorize fee increase.

“[C]ounties with more than 500,000 inhabitants but less than 3,000,000 inhabitants must charge the minimum fee...and may charge up to the maximum fee if the county board has by resolution increased the fee.” 705 ILCS 105/27.2.

Questions?

