



Elimination of Juvenile Fines and Fees: Statewide Report

July 2024

Illinois Juvenile Justice Commission <http://ijjc.illinois.gov/>



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Introduction and Methodology

This report prepared by the Illinois Juvenile Justice Commission¹, as required by Public Act 103-0379, to provide statewide data on the elimination of juvenile court fines and fees. It contains data reported for the time period of July 28, 2023 until June 21, 2024.

Effective July 2023, Public Act 103-0379 prohibits the assessment of fines, fees and / or costs against young people and families by juvenile courts. This legislation is intended to prevent the harms of financial penalties for court involved youth and families and to address significant racial disparities in the imposition of these burdens. Specifically, the new statute provides that “Fines and assessments, such as fees or administrative costs, authorized under this Section shall not be ordered or imposed on a minor subject to Article III, IV, or V of the Juvenile Court Act of 1987, or a minor under the age of 18 transferred to adult court or excluded from juvenile court jurisdiction under Article V of the Juvenile Court Act of 1987, or the minor's parent, guardian, or legal custodian”. The Act does NOT eliminate nor amend statutory provisions for victim restitution, traffic assessments, or municipal fees and fines and excludes offenses subject to concurrent jurisdiction (705 ILCS 405/5-125).

In addition to prohibiting the prospective imposition of fines and fees, the Act further eliminated outstanding debts for fines, fees and assessments previously assessed against youth and families. Specifically, the Act provides that “all unsatisfied civil judgments, outstanding balances for fines, and outstanding balances for assessments, such as fees or administrative costs, including interest, penalties, or collection fees entered prior to the effective date of this amendatory Act... are null, void, satisfied, and not collectible.” The Act further required Circuit Court Clerks to “discharge and waive 100% of all outstanding balances for unsatisfied civil judgments, unpaid fines, and unpaid assessments such as fees or administrative costs, including interest, penalties, or collection fees, entered against a minor or the minor's parent, guardian, or legal custodian...” To ensure that collection of these outstanding debts ceased, the Act required State’s Attorneys or Circuit Court Clerks to notify collection agencies engaged by counties that the outstanding debts were discharged.

Lastly, in addition to the substantive provisions prohibiting the prospective imposition of fines and fees and the discharge of outstanding debts for juvenile court fines and fees, as described above, the Act included data reporting and collection requirements to assess the impact of the legislation. The legislation required the Illinois Juvenile Justice Commission to collect data from Circuit Court Clerks regarding the amount of outstanding fines, fees and assessments discharged pursuant to the Act and the number of cases or people affected by these discharge provisions.

Specifically, the Act provides that: “Within one year of the effective date of this amendatory Act of the 103rd General Assembly, the circuit court clerk of each county shall report to the Illinois Juvenile Justice Commission the following data, in a form and manner to be determined by the Commission, specific to all outstanding balances for unsatisfied civil judgments, unpaid fines, and unpaid assessments, such as fees or administrative costs, made null, void, satisfied, and not collectible by this amendatory Act...: (1) As of the effective date of this amendatory Act of the 103rd General Assembly, the total number of cases or individuals pursuant to this amendatory Act of the 103rd General Assembly which:

¹ The Illinois Juvenile Justice Commission serves as the federally mandated State Advisory Group to the Governor, General Assembly, and the Illinois Department of Human Services. See 20 ILCS 505/17a-5.

- (A) have outstanding balances; and
- (B) have outstanding balances converted into civil judgments;
- (2) The number of cases or individuals with outstanding balances discharged and waived pursuant to this amendatory Act of the 103rd General Assembly; and
- (3) The total amount of outstanding balances discharged and waived pursuant to this amendatory Act of the 103rd General Assembly for the following:
 - (A) unsatisfied civil judgments;
 - (B) unpaid fines; and
 - (C) unpaid assessments, such as fees or administrative costs.

To effectuate the elimination of these financial penalties, the Act amended several related statutes, including the Illinois Juvenile Court Act, the Criminal Code, the Code of Corrections, the Counties Code and the Clerks Code.

To fulfill this mandate, the Commission partnered with the University of Illinois Center for Prevention Research, and Development (CPRD). The Commission and CPRD in turn worked closely with the Administrative Office of Illinois Courts (AOIC), and Circuit Courts Clerks to develop a standardized data collection form designed for use by Circuit Court Clerks in collecting and reporting this data. In the initial reporting period, the Commission also sought and benefitted greatly from dialogue and collaboration with the Illinois Association of Court Clerks and the AOIC to develop and test data collection forms and mechanisms. The Commission provided a presentation in November of 2023 with the Illinois Association of County Clerks to provide information regarding the statute and the data collection timeline. Furthermore, Circuit Court Clerks from six counties, Adams, Whiteside, Rock Island, McHenry, and Winnebago, formed a steering committee with the Commission, AOIC, and CPRD to design the data collection instrument and distribution methodology.

A data collection notification was provided by CPRD, on behalf of the Commission, to Circuit Court Clerks within thirty (30) calendar days after the statute went into effect. The Circuit Court Clerks and legislative staff in each county were provided with a written notice regarding the collection of outstanding balances in cases pursuant to this statute that outstanding balances for unsatisfied civil judgments, unpaid fines, and unpaid assessments such as fees or administrative costs, including interest, penalties, or collection fees, are null, void, satisfied, and not collectible as of the effective date of the amendatory Act of 103rd General Assembly.

As required by the Act, the scope of the data collected included the total number of cases or individuals pursuant to the amendatory Act of the 103rd General Assembly, which included the outstanding balances and outstanding balances converted into civil judgments; the number of cases or individuals with outstanding balances discharged and waived pursuant to this amendatory Act of 103rd General Assembly; and the total amount of outstanding balances discharged to included unsatisfied civil judgments, unpaid fines, and unpaid assessments, such as fees or administrative costs.

This report reflects the data reported prior to July 2023 and after July 2023 when Public Act 103-0379 went into effect. The report is divided into two main sections:

- The first section provides aggregated, statewide data for data related to the elimination of fines and fees both due and owing prior to July 28, 2023 and discharged after July 28, 2023. In addition, this section provides information on counties based on county type/population who completed data in fulfillment of PA 103-0379.

- The second section provides limitations and possible errors in data reporting by counties and recommendations

Gathering and reporting the required information was complex and challenging for all involved – the research team, Commission staff, Circuit Court Clerks and other state and local partners.

However, the diligence and collaboration exhibited by these stakeholders has yielded unprecedented statewide information outstanding balances related to fines and fees.

Declaration

All counties responding and reporting their data met the statutory requirements.

Acknowledgements

Special appreciation is extended to Circuit Court Clerks, Illinois for providing data on elimination of fines and fees. Collecting this type of case level data poses varying degrees of complexity depending upon the size and resources of the reporting agencies. There is no one system or database which contains this data. Often collecting and verifying this data requires multiple contacts with Circuit Court Clerks. Only through the collaboration of these agencies, their hard work and due diligence in collecting this data is this report possible. A special appreciation to the Circuit Court Clerks from Adams, Whiteside, Rock Island, McHenry, and Winnebago for volunteering their time on the steering committee to design the data collection process.

Faculty from the Legislation and Policy Clinic at Loyola University of Chicago School of Law also provided technical assistance in the development of the data reporting mechanisms and in the preparation of this report.

Elimination of Fines and Fees

The section provides data on the amount (in dollars) in relation to outstanding fines, civil judgments, and assessments and fees that were due prior to the Public Act 103-0319, the total dollar amount of all three, and the total number of cases involving youth or individuals, with outstanding balances due and owing prior to July 28, 2023, and after July 28, 2023. The data is reported as provided by the County Circuit Clerks. Below is Table 1, the full table with data provided by circuit clerks. Data is shown as reported by the County Circuit Clerks. The first five columns include the amount (in dollars) due and owing prior to July 28, 2023. The last five columns relate to amount (in dollars) due after July 28, 2023. Ogle county had the most amount due in assessments and fees at \$57 million. 86 counties of 102 (84%) reported data. Appendix A provides the Illinois map to visualize which counties provided data according to statutory requirements. Two counties, St. Clair and White, were not able to report data due to case management system issues.

Before July 28, 2023						After July 28, 2023				
County	Outstanding Fines Due and Owing (\$) Before July 28, 2023	Outstanding Civil Judgments Due and Owing (\$)	Outstanding Assessments and Fees Due (\$)	Total (total \$ amount across three previous columns)	Number of Cases with outstanding balances	Outstanding Fines Waived (\$) After July 28, 2023	Outstanding Civil Judgments Waived (\$)	Outstanding Assessments Waived (\$)	Total (total \$ amount across three previous columns)	Number of Cases with Waived Balances
Adams	19,879	0	505,916	525,795	377	19,879	0	505,916	525,795	377
Alexandar	15	0	9880	9895.25	113	15.00	0	9880.	9,895	113
Boone	13,680	0	163,897	177,577	410	13,680	0	163,897	177,577	410
Brown	0	0	11,236	11,236	8	0	0	11,236	11,236	8
Bureau	0	0	12,400	12,400	54	0	0	12,400	12,400	54
Carroll	1,696	0	39,955	41,651	179	1,696	0	39,955	41,651	179
Cass	200	0	3,690	3,890	29	200	0	3,690	3,890	29
Champaign	1,679,773	0	0	1,679,773	2787	2,827	0	0	2,827	40
Christian	7,911	0	164,747	172,658	345	7,911	0	164,747	172,658	345
Clark	4,909	0	90,972	95,881	306	4,909	0	90,972	95,881	306
Clay	0	0	6,337	6,337	41	0	0	6,337	6,337	41
Clinton	0	0	9,485	9,485	65	0	0	9,485	9,485	65
Coles	22,017	0	411,473	433,491	895	22,017	0	411,473	433,491	895
Cook	0	0	0	0	0	0	0	0	0	0
Cumberland	310	0	12791.80	13101.80	44	310	0	12,791	13,101	44
DeKalb	2,871	0	35,470	38,342	92	2,871	0	35470.18	38342.01	92
Dewitt	20,953	0	210,642	231,596	376	20,953	0	210,642	231,596	376
Douglas	0	0	5,995	5,995	23	0	0	5,995	5,995	0
DuPage	95,350	0	1,183,103	1,278,453	4344	95,350	0	1,183,103	1,278,453	4344
Edgar	0	0	61,759	61,759	309	0	0	61,759	61,759	309
Edwards	25	0	5,442	5,467	13	25	0	5,442	5,467	11
Effingham	846	0	48,055	48,902	103	846	0	48,055	48,902	103
Fayette	3,178	0	12,544	15,722	28	3,178	0	15,722	18,900	28
Ford	0	0	26,003	26,003	54	0	0	26,003	26,003	54
Franklin	196,137	0	0	196,137	268	24,66	0	96,827	99,293	268
Fulton	13,327	0	135,317	148,645	174	13,327	0	135,317	148,645	174
Gallatin	0	0	1,220	1,220	8	0	0	1,220	1,220	8
Greene	697	0	3,854	4,551	16	697	0	3,854	4,551	16
Grundy	4,909	0	90,972	95,881	306	4,909	0	90,972	95,881	306
Hamilton	1,149	0	0	1,149	1	1,324	0	0	1,324	1
Hancock	4,909	0	90,972	95,881	306	4,909	0	90,972	95,881	306
Henderson	818	0	21,369	22,188	34	818	0	21,369	22,188	34
Henry	4,909	0	90,972	95,881	306	4,909	0	90,972	95,881	306
Iroquois	5,121.	0	68,401	73,522	182	5,121	0	68,401	73,522	182
Jackson	2,237	0	13,771	16,009	45	2,237	0	13,771	16,009	45
Jefferson	6,262	0	140,003	146,265	349	6,262	0	133,741	140,003	349
Jersey	1,650	0	0	1,650	55	1,650	0	0	1,650	55
Jo Daviess	1,059	0	6,546	7,605	16	1,059	0	6,546	7,605	16

Johnson	250	0	6,480	6,730	55	250	0.00	6,480	6,730.	55
Kane	1,363,367	0	0	1,363,367	2,685	1,363,367	0	0	1,363,367	2,685
Kankakee	0	0	0	over 600,000	Hundreds	0	0	0	0	0
Knox	4,909	-	90,972	95,881	306	4909	-	90,972	95,881	306
LaSalle	136,855.	0	0	136,855	277	136,855	0	0	136,855	277
Lawrence	4,909	0	90,972	95,881	306	4,909	0	90,972	95,881	306
Lee	0	0	40,462	40,462	33	0	0	40,462	40,462	33
Livingston	4,909	0	90,972	95,881	306	4,909	0	90,972	95,881	306
Logan	19,295	0	297,826	317,121	551	192,95	0	297,826	317,121	551
Macon	15,905	0	1,093,509	1,109,414	2590	15,905	0	1,093,509	1,109,414	2,590
Macoupin	4,909	0	90,972	95,881	306	4,909	0	90,972	95,881	306
Madison	0	0	0	1,627,999	3,654	0	0	0	1,627,999	3,654
Marion	4,114	0	74,099	78,213	229	4,114	0	74,099	78,213	299
Marshall	4,909.	0	90,972	95,881	306	4,909	0	90,972	95,881	306
Mason	5,788	0	132,592	138,380	161	5,788	0	132,592	138,380	161
Massac	0	0	10,273	10,273	188	0	0	10,273	10,273	188
McDonough	0	0	85,637	85,637	101	0	0	40,887	40,887	91
McHenry	1,050	0	605,594	606,644	1,131	1,050	0	605,594	606,644	1,131
McLean	400	0	498,011	498,411	1,902	400	0	498,011	498,411	1,902
Mercer	0	0	188,834	188,834	48	0	0	188,834	188,834	48
Monroe	480	0	1,325	1,805	9	480	0	1,325	1,805	9
Montgomery	2,012	0	79,561	81,574	124	2,012	0	79,561	81,574	124
Morgan	1,310	0	7,114	8,424	38	1,310	0	7,114	8,424	38
Moultrie	25	0	9,391	9416	52	25	0	9,391	9,413	52
Ogle	0	3,046	57,519,453	57,522,499	188	3,046	0	30,235	33,281	150
Piatt	100	0	18,442	18,542	31	100	0	18,442	18,542	31
Pike	4,909	0	90,972	95,881	306	4,909	0	90,972	95,881	306
Pope	0	0	3,687	3,687	11	0	0	3,687	3,687	11
Pulaski	182	0	3,238	3,420	6	182	0	3,238	3,420	6
Putnam	768	0	7,571	8,339	22	768	0	7,571	8,339	15
Richland	4,909	0	90,972	95,881	306	4,909	0	90,972	95,881	306
Rock Island	3,365	0	589,790	593,156	2,010	3,365	0	589,790	593,156	2,010
Saline	0	0	0	0	0	0	0	0	0	0
Sangamon	2,377,747	2,425	0	2,380,172	2,711	0	0	0	0	0
Scott	200	0	4,613	4,813	11	200	0	4,613	4,813	11
Shelby	4,909	0	90,972	95,881	306	4,909	0	90,972	95,881	306
Stark	1,279	0	3,245	4,525	14	1,279	0	3,245	4,525	14
Stephenson	831	0	28,125	28,956	115	831	0	28,125	28,956	85
Union	1,762	0	11,687	3,449	56	1,762	0	11,687	13,449	56
Vermilion	109,998	0	1,905,464	2,015,462	1264	109,998	0	1,905.464	2,015.462.	1264
Washington	0	0	675	675	9	0	0	675	675	9
Wayne	2,915	0	16,931,067	16,933,982	76	2,915	0	16,931,067	16,933,982	45
White	0	0	0	0	0	0	0	0	0	0

Whiteside	0	0	299,322	299,322	120	0	0	299,322	299,322	120
Will	500	0	1,486,539	1,487,039	3,285	500		1,124,197	1,124,697	2,907
Williamson	1,163	0	36,726	37,889	113	1,163	0	36,726	37,889	113
Winnebago	138,643	0	2,162,291	2,300,934	5,017	0	0	0	0	0
Woodford	0	0	14,538	14,538	56	0	0	14,538	14,538	56
Total	6,344,611	5471	88,568,461	96,546,552	44,396	1,939,064	0	26,700,043	30,176,970	33,472

Limitations and Recommendations

Circuit Court Clerks have their own individual case management systems for collecting data. There is no one statewide system or database that contains all Clerks' data. Therefore, it can take time to provide the type of data request for this report. Due to the sheer size of the data, there could be possible errors in the data reporting. The Circuit Court Clerks were asked to provide the data via a Qualtrics survey, and this could have led to reporting errors. Some counties did sign on to the survey, but no data was reported. The following counties did not provide data for this report: Bond, Calhoun, Crawford, Gallatin, Jasper, Lake, Kendall, Menard, Peoria, Randolph, Schuyler, St. Clair, Tazewell, Union, Wabash, Warren, and White.. CPRD will provide technical assistance for the remaining counties to provide data if needed.

Appendix A: Counties Reporting Data Pursuant to PA 103-0379

