

# Fiscal Year 2011/2012 Budget Program Description

## Circuit Clerk

### Department Mission Statement:

The McHenry County Circuit Clerk's Office mission is to accurately maintain the court records of the 22<sup>nd</sup> Judicial Circuit Court as mandated by Illinois State Statute and Illinois Supreme Court Rules. We strive to provide an independent office that provides accessible, responsive, internal and external customer service. Our goal is to bring value, quality and satisfaction to the taxpayers of McHenry County.

Program Description (By OCA Code)	Customers Served	Mandated Service	Funding Source
<b>OCA: 410001 – Circuit Clerk Administration</b> - The Circuit Clerk is an Illinois Constitutional Office under the auspices of the Illinois Supreme Court Article V. The Circuit Clerk and its functions are established under 705 ILCS 105/13. Under state statute, the duty of clerks shall be to attend the sessions of their respective courts, preserve all the files and papers, make, keep and preserve complete records of all proceedings and determinations, and perform all other duties pertaining to their offices, as may be required by law or the rules and orders of their respective courts.	Citizens of McHenry County	705 ILCS 105/13	General Fund
<b>OCA: 410110 – Court Automation Fund</b> – To help defray the expense of establishing and maintaining an automated record keeping system in the Office of the Circuit Clerk, state statute allows for a Court Automation Fee of not less than \$1 and not more than \$15 to be charged and collected on all cases. We currently charge \$15 on cases that appear in court and \$8 on traffic cases that are paid without a court appearance. These fees are to be used for any cost related to the automation of court records, including hardware, software, research and development costs, and personnel. These expenditures must be approved by the Circuit Clerk and the Chief Judge or his designee.	Citizens of McHenry County	705 ILCS 105/27.3a	Court Automation Fund
<b>OCA: 410105 – Document Storage Fund</b> - To help defray the expense of establishing and maintaining a document storage system and convert the records of the circuit clerk to electronic storage, state statute allows for a Court Document Fee of not less than \$1 and not more than \$15 to be charged and collected on all cases. We currently charge \$15 on cases that appear in court and \$9 on traffic cases that are paid without a court appearance. These fees are to be used for any cost related to the storage of court records, including hardware, software, research and development costs, and personnel. These expenditures must be approved by the Circuit Clerk.	Citizens of McHenry County	705 ILCS 105/27.3c	Document Storage Fund
<b>OCA: 410116 – Maintenance and Child Support Collection Fund</b> – In maintenance and child support matters, the Circuit Clerk shall collect an annual fee of up to \$36 from the person making the payments for the administration of the child support records. We currently charge \$36 annually, which is deposited in a separate Maintenance and Child Support Collection Fund of which the Circuit Clerk is the custodian. These funds shall be used by the Circuit Clerk to help defray the expense of maintaining child support records and recording payments collected by the State Disbursement Unit. These expenditures must be approved by the Circuit Clerk.	Citizens of McHenry County	705 ILCS 105/27.1a	Child Support Collection Fund
<b>OCA: 410120 – Circuit Court Clerk Operation &amp; Administrative Fund</b> -- The Circuit Court Clerk is authorized to collect fees to offset the costs incurred by the Circuit Court Clerk in performing the additional duties required to collect and disburse funds to entities of State and local government. These Administrative Fees shall be collected where allowable by the Illinois Compiled Statutes. The Circuit Court Clerk is the custodian of this fund and it is to be used for expenses required to perform the duties required by the office.	State & Local Governments	705 ILCS 105/27.3d	Operation & Administrative Fund
<b>OCA: 410126 – Circuit Court Clerk Electronic Citation Fund</b> – New law passed in 2010 that authorized the Circuit Court Clerk to collect a \$5 Electronic Citation Fee to offset the costs incurred by the Circuit Court Clerk for establishing and maintaining electronic citations. Electronic citations are not mandated, but we have been working with McHenry County police agencies offering electronic citations for approximately 8 years. While electronic citations are not a mandated service, they are very important to our automation efforts and have increased our data entry efficiency and accuracy over the years we have been developing this system. The Circuit Court Clerk is the custodian of this fund and it is to be used for expenses relating to establishing and maintaining electronic citations in McHenry County. The Circuit Clerk retains \$3 of each Electronic Citation Fee and the arresting agency receives \$2.	Citizens of McHenry County	705 ILCS 105/27.3e	Electronic Citation Fund