

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT
STATE OF ILLINOIS

ADMINISTRATIVE ORDER 11-12-13(A)

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DEC 16 REC'D
2011

CHIEF JUDGE'S OFFICE

The undersigned Chief Judge of the First Judicial Circuit finds as follows:

1. 725 ILCS 5/110-7 has been amended, effective January 1, 2012, to provide that the \$75 fee assessed by the court for service of a warrant for failure of a defendant to appear in court shall be a condition of release unless otherwise ordered by the court.
2. Previously this \$75 fee was the subject of an administrative order, 11-6-8, issued by the undersigned Chief Judge, wherein said \$75 fee was determined to be neither a condition of bond nor a "bond fee" pursuant to 725 ILCS 5/110-7(b).

3. The above described change in legislation requires a change in said administrative order.

THEREFORE IT IS ORDERED AS FOLLOWS:

1. Pursuant to 725 ILCS 5/110-7, amended effective January 1, 2012, any person who fails to appear in court on a required date for a violation of Criminal Code of 1961 [720 ILCS 5/101, et seq.], the Illinois Vehicle Code [625 ILCS 5/100, et seq.], the Fish and Aquatic Life Code [515 ILCS 5/1-1, et seq.] the Child Passenger Protection Act [625 ILCS 25/1, et seq.], or a comparable offense of a unit of local government as specified in Supreme Court Rule 551, and if the accused does not appear in court on the date set for appearance or any date to which the case may be continued, and the court issues an arrest warrant for the accused based upon his or her failure to appear when having previously been ordered to appear by the court, the accused, upon his or her admission to bail, shall be assessed a fee of \$75. The fee shall be collected by the clerk of the court, who shall remit \$5.00 of the fee assessed to the Circuit Court Clerk Operation and Administrative Fund and \$70.00 to the arresting agency as provided by law.

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CLERK OF THE CIRCUIT COURT

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2. The name of the arresting agency shall be noted on the Failure to Appear Warrant, or other document designating the arresting agency, name of the arrestee, and case number and sent to the clerk of the court of the arresting county.

3. The term "accused" is defined as any person accused of a failure to appear in both pre and post judgment warrants in any of the above cited statutes.

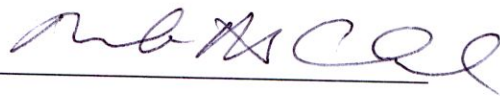
4. PAYMENT OF THE SAID FEE SHALL BE A CONDITION OF RELEASE, UNLESS OTHERWISE ORDERED BY THE COURT.

5. The fee is waived if the accused appears before the court prior to the service of the "Failure to Appear" warrant, or if the warrant is quashed by the court, for good cause shown.

6. The fee is not applicable if the arrest is made by a law enforcement officer in a foreign state.

7. First Circuit Administrative Order 11-6-8 is superceded by this order.

Entered this 13th day of December, 2011.



Chief Judge Mark Clarke

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