

STATE AND LOCAL FUNDING FOR THE COURTS

Financing the state court system is a shared responsibility of the state and the 102 counties of the state. Revenue to provide court services to the people of the state comes from a variety of sources: the state income tax, county property taxes, case filing fees, court-imposed fines and assessments, and other fees.

State government pays for the salaries, benefits, and office expenses of supreme and appellate court judges, and salaries and benefits of circuit court judges. Effective July 1, 2009, judicial salaries, as determined by the legislature, were: Supreme Court justices, \$201,819; appellate court judges, \$189,949; circuit court judges, \$174,303; and associate judges, \$165,588. The state also pays for support staff of supreme and appellate court judges, staff in other units of the supreme and appellate courts, a small number of other personnel in the circuit courts, and mandatory arbitration staff in several counties. Part of the cost of operating the mandatory arbitration program is offset by fees paid by participants in the program. During Calendar Year 2009, the arbitration filing and rejection fees collected amounted to \$6,442,208.

State funding for probation departments currently covers approximately 2,900 probation personnel, for which the counties receive partial salary reimbursement on a monthly basis. At the present time, state funding provides for about 27% of the total cost of probation services in the state.

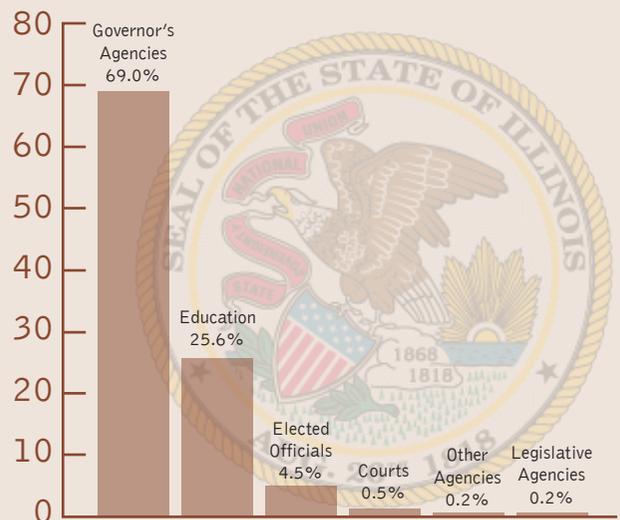
County governments pay part of the cost of financing circuit court operations. Counties provide office and courtroom space, maintenance, and support staff to assist the circuit court judges. Circuit clerks collect money to help pay for their operations and some court operations. They also collect and disburse revenues to help fund local and state government programs, as summarized on the next page.

State Funding

Appropriations for State Agencies Fiscal Year 2010

The graph to the right, shows the Supreme Court's share of the total appropriations for Fiscal Year 2010 (July 1, 2009 to June 30, 2010). The total appropriation was \$57,603,467,000. The appropriation for the courts was \$301,791,000.

Source: Table IA: Appropriations by Agency, Chapter 2 Governor's Budget Message to the General Assembly for Fiscal Year 2011



Local Funding

The circuit clerk's office in each county provides a variety of court recordkeeping and financial accounting services. Circuit clerks are elected for four-year terms by the voters in each county. Circuit clerks, with help from deputy clerks, attend sessions of the court, preserve court files and papers, and maintain complete records of all cases. Employees of the clerks' offices are appointed by and are accountable to the circuit clerk, with the county board having budgetary authority. During 2009, the total number of full-time employees in all 102 circuit clerk offices was 3,640, assisted by a total of 152 part-time employees. The cost of operating all circuit clerks' offices totaled \$209,008,800 in 2009.

Revenue to pay for these court-related services comes primarily from property taxes, filing fees, and court-ordered fines and costs. Fines, fees and other costs collected by circuit clerks are governed primarily by statute and Supreme Court rule.

Revenue to Finance Local Improvements

Fees and court-ordered fines were collected in 2009 by circuit clerks and earmarked for improvements in the clerks' offices and to help defray the cost to the county of operating the courts at the local level.

Court Document Storage Fund

is used for any costs relative to the storage of court records.

\$26,744,194

Court Automation Fund

is used to establish and maintain automated systems for keeping court records.

\$27,904,446

County Law Library Fund

helps defray the costs of maintaining a law library in the county for judges, attorneys, and the public.

\$8,991,328

County Fund To Finance the Court System

is available from fees collected by circuit clerks to help finance the court system in the county.

\$6,647,246

Circuit Court Clerk Operations and Administrative Fund

is used to offset costs incurred for collection and disbursement of State and local funds.

\$2,256,964

Uncollected Claims

The Administrative Office, the Supreme Court Clerk, the Supreme Court Library, and the Clerks of the five Appellate Districts are responsible for collecting certain fees. Outstanding accounts receivable are normally collected by the unit to which the account is owed. Additionally, a small number of accounts receivable are turned over to private collection agencies and the State Comptroller's offset system. At the end of FY09, there were 135 claims due and payable, totaling \$610,762.96.

Revenue to Finance Other Programs

In addition to collecting fees for local improvements, circuit clerks receive, account for, and distribute millions of dollars to county governments, various local governmental entities, and various state funds. Some of the programs and dollars collected in 2009 by circuit clerks are listed below:

Child Support and Maintenance: Court ordered payments collected and distributed by Circuit Clerks and the State Disbursement Unit.

\$1,048,705,123

Drug Treatment Fund: Court ordered drug assessments are used to pay for treatment programs for people addicted to alcohol, cannabis, or controlled substances.

\$3,866,545

Violent Crime Victims Assistance: Court ordered penalties in criminal and certain traffic cases are used to support victim and witness assistance centers throughout the state.

\$6,296,961

Trauma Center Fund: Fees collected in certain traffic, DUI, and criminal cases are used to support Illinois hospitals that are designated as trauma centers.

\$4,510,735

Traffic and Criminal Conviction Surcharge: An additional penalty imposed in traffic and criminal cases is used for training of law enforcement and correctional officers.

\$6,205,407

Drivers Education Fund: Penalties and forfeitures in offenses reportable to the Secretary of State are used for driver education programs in high schools.

\$2,354,902

