

Circuit Clerk of the Courts (Dept 41)

Mission Statement: *The McHenry County Circuit Clerk's mission is to accurately maintain the records of the 22nd Judicial Circuit Court as mandated by state statute, while serving the citizens of McHenry County and participants in the court system in a timely and cost-effective manner, providing all court records, information and services with courtesy, efficiency and impartiality.*

Department Created By: *Illinois Compiled Statute (705 ILCS 105/) Clerks of Courts Act.*

Classification – Judicial

Background: The Circuit Clerk of Courts 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 of the Illinois Compiled State Statutes. One Clerk of the Circuit Court in each county shall be elected as provided by law and shall hold office until a successor is elected and qualified.

Functions: MANDATED BY STATE STATUTE

- **Court Documentation:** Circuit Court Clerks shall attend the sessions of their respective courts, preserve all the files and papers thereof, make, keep and preserve complete records of all the proceedings and determinations thereof, except in cases otherwise provided by law, and perform all other duties pertaining to their offices, as may be required by law or the rules and orders of their courts respectively. The 22nd Circuit has 19 judges, the Clerk must provide staff each time one of the judges takes the bench, typically in 18 courtrooms for both morning and afternoon court calls, and Initial Appearance Court held on Saturdays and most holidays.
- **Records:** Circuit Court Clerks shall enter on record all judgments and orders of their respective courts, as soon after the rendition or making thereof as practicable. Unless otherwise provided by rule or administrative order of the Supreme Court, the respective Clerks of the Circuit Courts shall keep in their offices the following books: (1) A general docket, upon which shall be entered all suits, in the order in which they are commenced; (2) Two well-bound books, to be denominated "Plaintiff's Index to Court Records," and "Defendant's Index to Court Records" to be ruled and printed substantially in a prescribed format; (3) Proper books of record, with indices, showing the names of all parties to any action or judgment therein recorded, with a reference to the page where it is recorded; (4) A judgment docket, in which all final judgments (except child support orders) shall be documented at the time they are entered, or within 60 days thereafter in alphabetical order, by the name of every person against whom the judgment is entered; (5) A fee book, in which shall be distinctly set down, in items, the proper title of the cause and heads, the cost of each action, including clerk's, sheriff's and witness' fees; (6) Such other books of record and entry as are provided by law, or may be required in the proper performance of their duties. **Today, the "books" and "indexes" referenced by statute are all maintained electronically in the Circuit Clerk's case management system.**

Functions: FUNCTIONS PROVIDED BY COUNTY BOARD

- **Fines and Fees:** Notwithstanding any other provision of law, all fees charged by the clerks of the circuit court for the services provided shall be established, collected, and disbursed in accordance with state statute. Except as otherwise specified, all fees shall be paid in advance and disbursed by each clerk on a monthly basis. Unless otherwise specified, the amount of a fee shall be determined by ordinance or resolution of the county board and remitted to the county treasurer to be used for purposes related to the operation of the court system in the county.
- The necessary rooms and office furniture, the proper vaults or other means for the safe keeping of the archives of their respective offices, shall be provided for the clerk by the county boards of their respective counties, and the cost thereof paid out of the county treasury.

Note to Reader: *The following funds and related budgets fall under the Circuit Clerk and are serviced by the employees of this Department, and therefore, the following Functions, Highlights, Goals and Objectives, Full-time equivalents and Performance Measures represent the total department, and are not accounted for under each individual fund. The financial information for each fund is presented as subsets by the Circuit Clerk Department.*

Maintenance and Child Support Collection Fund (370)

Fund Created By: Illinois Compiled Statutes 705 ILCS 105/27.1b(k)(2) Maintenance & Child Support Collection Fund

Classification – Judicial

Background: In spousal maintenance and child support matters, the Circuit Clerk collects an annual fee of \$36 from the person making payments for the administration of child support & spousal maintenance payment records, which is deposited in a separate Maintenance & Child Support Collection Fund of which the Circuit Clerk is custodian. The Circuit Clerk records and reports on over \$27 million in Child Support payments annually. These fees are used by the Circuit Clerk to help defray the expense of maintaining child support records and recording payments collected by the State Disbursement Unit. Expenditures from this fund must be approved by the Circuit Clerk.

Function: To assist in defraying the Circuit Clerk expenses of maintaining child support records and recording payments collected by the State Disbursement Unit.

Court Document Storage Fund (371) – Funded by Court Fees

Fund Created By: Illinois Compiled Statutes 705 ILCS 135/10-5(d)(2) Document Storage Fund

Classification - Judicial

Background: The Document Storage Fund was created to defray the expense, borne by the County, of establishing and maintaining a document storage system and converting the records of the Circuit Court Clerk to electronic or micrographic storage. Court Document Storage Fees are collected in criminal and traffic cases pursuant to the *Criminal and Traffic Assessment Act* (705 ILCS 135/), and civil cases pursuant to the *Clerk of Courts Act* (705 ILCS 105/). Currently, \$20 is assessed in all criminal and traffic cases ordered to pay a financial sentence, and \$10-\$20 is assessed on most initial civil filings. These fees are to be used for any cost related to the storage of court records, including hardware, software, research and development, and personnel, provided that the expenditure is approved by the Circuit Clerk. Approximately 550,000 documents are filed and scanned and approximately 600 trial exhibits are received and stored on an annual basis. The Circuit Clerk maintains an electronic database of over 10 million scanned court documents.

Function: Funds are to be used for any cost related to establishing and maintaining a document storage system and converting the records of the Circuit Court Clerk to electronic or micrographic storage, including hardware, software, research & development, and personnel.

Circuit Court Automation Fund (372) – Funded by Court Fees

Fund Created By: Illinois Compiled Statutes 705 ILCS 135/10-5(d)(1) Court Automation Fund.

Classification - Judicial

Background: The Court Automation Fund was created to defray the expense borne by the County of establishing and maintaining automated recordkeeping systems in the Office of the Clerk of the Circuit Court. Court Automation Fees are collected in criminal and traffic cases pursuant to the *Criminal and Traffic Assessment Act* (705 ILCS 135/), and civil cases pursuant to the *Clerk of Courts Act* (705 ILCS 105/). Currently, \$20 is assessed in all criminal and traffic cases ordered to pay a financial sentence, and \$10-\$20 is assessed on most civil filings. These fees are to be used for any cost related to the automation of court records, including hardware, software, research and development, and personnel. Expenditures from this fund must be approved by the Circuit Clerk and the Chief Judge or designee.

Function: Funds are to be used to establish and maintain an automated recordkeeping system in the Office of the Circuit Clerk. Covered costs include hardware, software, research and development, and personnel.

Circuit Clerk Operation and Admin Fund (373) – Funded by Court Fees

Fund Created By: *Illinois Compiled Statutes (705 ILCS 105/27.3d) Circuit Clerk Operation and Administration Fund*

Classification - Judicial

Background: Circuit Clerk Operation & Administration Fund fees are collected pursuant to *705 ILCS 135/10-5(d)(3)* and are to defray the expenses incurred for collection and disbursement of the various assessment schedules located in the *Criminal and Traffic Assessment Act* and the *Clerk of Courts Act*. Fees are collected for criminal and traffic cases pursuant to the *Criminal and Traffic Assessment Act* (705 ILCS 135/et al.), and civil cases pursuant to the *Clerk of Courts Act* (705 ILCS 105/et al.). Currently, \$5 is assessed in all criminal and traffic cases ordered to pay a financial sentence, and \$2-\$5 is assessed on most initial civil filings. 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.

Function: To fund expenses incurred by the Circuit Clerk to perform the duties required by the office in collecting and distributing funds to entities of state and local governments.

Circuit Clerk Electronic Citation Fee Fund (374) – Funded by Court Fees

Fund Created By: *Illinois Compiled Statutes 705 ILCS 135/10-5(d)(1) Circuit Court Clerk Electronic Citation Fund*

Classification – Judicial

Background: Circuit Court Clerk Electronic Citation Fees of \$8 are collected on any misdemeanor, traffic, municipal ordinance, or conservation case upon a judgment of guilt or grant of supervision and shall be used to perform the duties required by the office for establishing and maintaining electronic citations. Electronic citations are not mandated currently, but the Circuit Clerk has been working with McHenry County police agencies offering electronic citations for approximately 25 years, funding a county-wide license for electronic citation software. Police agencies also receive a \$2 Electronic Citation Fee in the same group of cases to assist with the funding of paper and printers.

2024 Highlights

- Sponsored the 2nd annual “Expungement Clinic” in cooperation with the McHenry County Bar Association & Prairie State Legal Services held on November 15, 2024, which provided free legal assistance to individuals seeking to clear their criminal record. Volunteer attorneys consulted with parties who signed up for the clinic, discussing their options, preparing expungement paperwork and providing guidance on the expungement process.
- Held 3rd annual “Amnesty Week” November 8-15, 2024, in cooperation with the State’s Attorney and collection agency Harris & Harris, to allow parties with a balance due to the Court the opportunity to pay those balances with accrued interest and additional penalty fees waived.
- Circuit Clerk IT staff expanded our in-house “Approach the Bench” software to handle the developing needs in the courtrooms to meet SAFE-T Act changes, allowing the Court, Probation, State’s Attorney, Public Defender, Sheriff Corrections and Circuit Clerk to immediately receive court orders created during Initial Appearance Court with no paper exchanged, in alignment with McHenry County Strategic Plan, Organizational Advancement Strategic Goal #1: Identify strategies to enhance integration, coordination, communication, and information-sharing between County-wide departments.
- Hosted two high school interns from McHenry High School from January through May 2024, scheduling the high school seniors for many different experiences with various county departments to better understand the career opportunities available with the court system, in alignment with McHenry County Strategic Plan, Organizational Advancement Strategic Goal #3 Action item: Develop a job shadowing program for high school students to promote McHenry County as a great place to work and create awareness of career opportunities.
- Launched a SAFE-T Act statistical dashboard on the Circuit Clerk’s website containing statistics for some of the changes which were effective September 18, 2023, with the elimination of cash bail in Illinois.
- Circuit Clerk IT staff developed a new process for generating daily dynamic courtroom Zoom links, replacing the static Zoom links previously used, to increase efficiency and reduce the threat of courtroom “Zoom bombing.”
- Circuit Clerk IT staff developed a program which allows Circuit Clerk phone staff to enter a customer’s phone number or email address and immediately send them a text or email which includes the link to their Zoom courtroom, greatly improving customer service offered to attorneys and court patrons who are frantically trying to connect for a remote court appearance.
- Hosted an Illinois JusticeCorps volunteer for the entire year, plus hosted a second JusticeCorps volunteer for the summer months, both of whom assist self-represented litigants with navigating the court system. Illinois JusticeCorps is an AmeriCorps program that places volunteers in courthouses around Illinois to help people without lawyers navigate the civil justice system.

2025 Goals

- Working with a vendor to develop artificial intelligence (AI) to process electronically filed documents. AI process automation will increase staff efficiency and reduce data entry labor cost by using AI machine learning technology to navigate the Circuit Clerk’s case management system and make data-based decisions, performing data entry with zero errors, providing a better, faster alternative to the manual processing of eFiling work queues, operating on a 24x7x365 basis with a high degree of accuracy.
- Updating Circuit Clerk’s case management system to allow for statutorily required redaction of victim information electronically in Criminal sexual offense cases, allowing these cases to be available publicly with the victim name redacted. This will improve customer service by making the redacted documents publicly available, while also decreasing staff processing time handling requests for the documents.
- Redevelop Circuit Clerk case management system’s Electronic Citation work queue to remove the step that requires staff review, moving to a 24x7x365 process which will assign the case number and create the traffic case without clerk intervention, which improves our customer service by allowing the public to pay traffic tickets online almost immediately after receiving the ticket.
- Implement the vast new reporting requirements for Circuit Clerks under the IL Supreme Court’s “Socrata” initiative which will eventually replace all current static quarterly reporting to the Supreme Court and automated dispositional reporting to Secretary of State and Illinois State Police.
- Verify additional scanned court files to continue to approve additional destruction of paper court records in the Archives facility.

Performance Measures

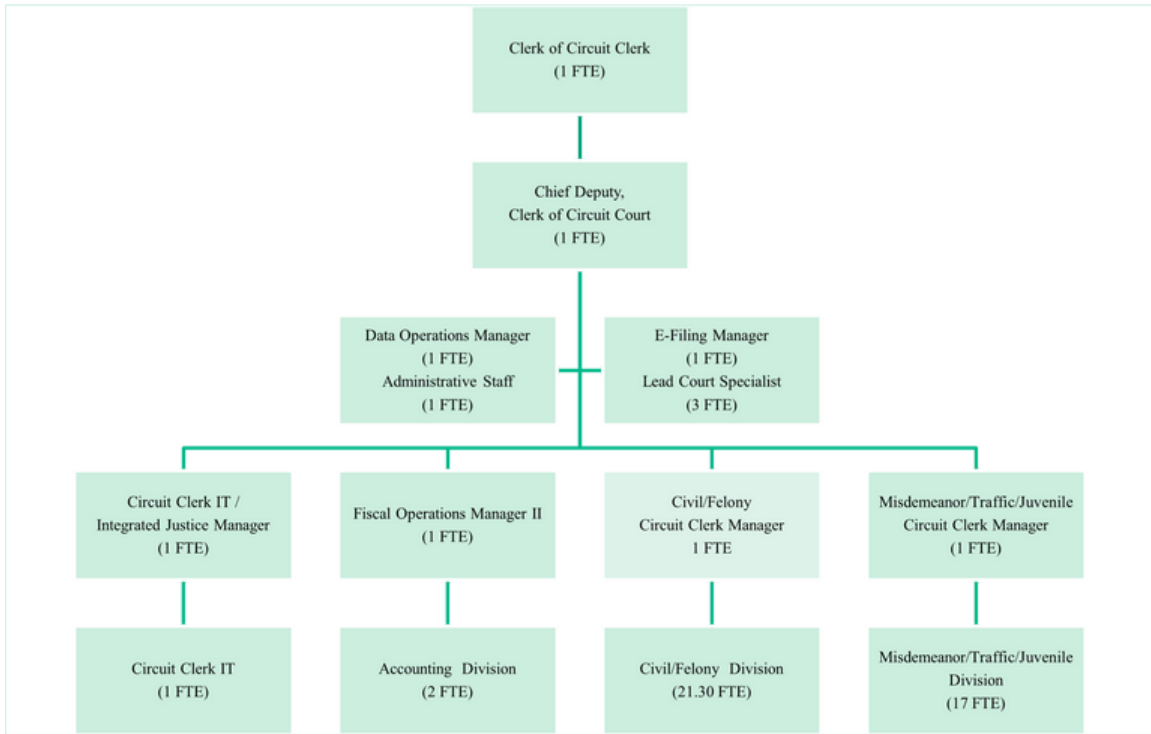
Performance Indicators:	2023 Actual	2024 Projected	2024 Mid-Year	2025 Projected
Traffic (TR) cases filed	24,549	26,000	12,724	26,000
Small Claims (SC) cases filed	2,715	2,700	1,664	3,300
Mortgage Foreclosure (FC) cases filed	519	570	246	500
Eviction (EV) cases filed	664	725	302	600
Protective Orders issued	1,917	2,100	1,030	2,200
Orders for Waiver of Court Fees entered	927	1,200	350	800

Full Time Equivalents History

Job Title	2022-23	2023-24	2024-25
	FTE	FTE	FTE
Clerk of Circuit Court	1.00	1.00	1.00
Chief Deputy, Clerk of Circuit Court	1.00	1.00	1.00
Accounting Assistant II	1.00	1.00	1.00
Accounting Coordinator	1.00	1.00	1.00
Administrative Specialist III	1.00	1.00	1.00
CC IT/Integrated Justice Manager	1.00	1.00	1.00
Circuit Clerk Manager	2.00	2.00	2.00
Court/Courtroom Specialist I	25.00	23.30	23.30
Court/Courtroom Specialist II	10.00	10.00	10.00
Court/Courtroom Specialist III	5.00	5.00	5.00
Fiscal Operations Manager II	1.00	1.00	1.00
GUI Designer	1.00	1.00	1.00
Lead Court/Courtroom Specialist	3.00	3.00	3.00
Data Operations Manager	0.00	1.00	1.00
E-Filing Manager	1.00	1.00	1.00
Total Dept 41 - Clerk of the Circuit Court	54.00	53.30	53.30

Organizational Chart

The Organizational Chart is inclusive of all funds under the Circuit Clerk of the Courts.



County of McHenry
2025 Proposed Budget
41 - Circuit Clerk

Category	FY2022 Actual	FY2023 Actual	FY2024 Appropriated	FY2024 Actual (YTD)	FY2025 Budgeted
<i>General Fund</i>					
76 - Fines & Forfeitures	769,142	694,450	659,000	535,633	722,000
80 - Fees & Charges for Service	2,983,844	3,082,714	2,453,000	2,374,528	2,701,000
95 - Interest Earnings	37,273	244,083	150,000	180,131	125,000
Revenue	3,790,259	4,021,246	3,262,000	3,090,292	3,548,000
30 - Personnel	1,914,275	2,246,915	2,047,215	1,591,556	2,216,957
40 - Contractual	2,410	480	600	280	600
50 - Commodities	9,370	5,280	5,000	4,999	5,000
Expense	1,926,055	2,252,675	2,052,815	1,596,835	2,222,557

Category	FY2022 Actual	FY2023 Actual	FY2024 Appropriated	FY2024 Actual (YTD)	FY2025 Budgeted
<i>Maint/Child Support Collection Fund</i>					
80 - Fees & Charges for Service	71,195	60,789	65,000	39,570	55,000
95 - Interest Earnings	1,250	4,959	5,000	2,968	4,000
Revenue	72,445	65,748	70,000	42,538	59,000
40 - Contractual	75,150	72,150	70,000	70,000	59,000
Expense	75,150	72,150	70,000	70,000	59,000

Category	FY2022 Actual	FY2023 Actual	FY2024 Appropriated	FY2024 Actual (YTD)	FY2025 Budgeted
<i>Circuit Court Doc Storage Fund</i>					
80 - Fees & Charges for Service	613,239	652,042	570,000	502,567	600,000
95 - Interest Earnings	15,168	65,946	40,000	57,667	65,000
Revenue	628,407	717,988	610,000	560,235	665,000
30 - Personnel	76,667	85,148	159,221	66,392	102,744
40 - Contractual	244,392	275,360	372,000	223,637	522,000
68 - Fund Balance Enhancement	-	-	78,779	-	40,256
Expense	321,059	360,509	610,000	290,029	665,000

Category	FY2022 Actual	FY2023 Actual	FY2024 Appropriated	FY2024 Actual (YTD)	FY2025 Budgeted
<i>Circuit Court Automation Fund</i>					
80 - Fees & Charges for Service	644,995	685,248	585,000	532,797	650,000
95 - Interest Earnings	15,265	64,297	40,000	53,071	65,000
Revenue	660,260	749,545	625,000	585,868	715,000
30 - Personnel	183,562	196,679	222,814	112,987	195,749
40 - Contractual	382,363	297,835	325,000	243,335	504,251
60 - Capital Outlay	-	-	15,000	-	15,000
68 - Fund Balance Enhancement	-	-	62,186	-	-
Expense	565,925	494,514	625,000	356,322	715,000

Category	FY2022 Actual	FY2023 Actual	FY2024 Appropriated	FY2024 Actual (YTD)	FY2025 Budgeted
<i>Circuit Court Clerk Oper & Admin Fund</i>					
80 - Fees & Charges for Service	161,224	166,661	145,000	127,437	165,000
94 - Governmental	7,200	-	-	-	-
95 - Interest Earnings	6,975	22,502	18,000	15,671	20,000
Revenue	175,400	189,162	163,000	143,107	185,000
30 - Personnel	20,724	20,353	20,733	9,918	15,210
40 - Contractual	42,621	61,349	92,950	42,364	133,450
50 - Commodities	10,034	34,211	22,700	7,239	25,300
60 - Capital Outlay	7,523	178,517	-	2,962	5,000
68 - Fund Balance Enhancement	-	-	26,617	-	6,040
Expense	80,902	294,430	163,000	62,483	185,000

Category	FY2022 Actual	FY2023 Actual	FY2024 Appropriated	FY2024 Actual (YTD)	FY2025 Budgeted
<i>Circuit Clerk Electronic Citation Fund</i>					
80 - Fees & Charges for Service	178,555	190,860	165,000	148,328	180,000
95 - Interest Earnings	5,552	22,652	15,000	16,812	20,000
Revenue	184,106	213,512	180,000	165,140	200,000
40 - Contractual	65,293	110,571	109,000	59,100	150,000
50 - Commodities	-	-	50,000	141,749	50,000
68 - Fund Balance Enhancement	-	-	21,000	-	-
Expense	65,293	110,571	180,000	200,849	200,000

To View Interactive Budget (both Financial and Non Financial Information)

<https://mchenrycountyil.openbook.questica.com/#/spotlight/efe8db06-7ac6-45bc-9f0f-845fa5d1f6d0>