



Supreme Court of Illinois

September 13, 2021

REPORT ON FINANCIAL IMPACT OF ELIMINATION OF CASH BAIL IN ILLINOIS

The Illinois Supreme Court and the Civic Federation today announced the results of a report on the elimination of cash bail and the effect it will have on counties throughout Illinois.

The [full report](#) and [executive summary](#) can be found [here](#) in the section on New Statewide Pretrial Operational Structure.

Bond processing fees will be eliminated with the abolishment of cash bail when the SAFE-T Act takes effect on January 1, 2023. A significant portion of fees and fines, including from bail bond payments in criminal cases, are used to fund the offices of the circuit court clerks and other county-level court services.

“The Court would like to thank the Civic Federation for its excellent work on this report,” Chief Justice Anne M. Burke said. “It provides important information the Pretrial Practices Implementation Task Force can use as Illinois moves from a county-level system of adult criminal pretrial practices to a statewide system.”

The focus of the report is on the amount of bond payments applied, which means bonds processed and disbursed at the conclusion of a criminal case, and how clerks of circuit courts distributed those bond amounts.

The report found that bond payments processed in criminal cases in 2016 totaled \$153.2 million and this amount decreased to \$121.9 million in 2020. Of the total bond payments processed in this time, 70% were applied to satisfy court-ordered fees, 10% were applied to satisfy fines and restitution payments, and the remaining 20% were refunded across 95 counties in Illinois. Bonds processed in Cook County represented approximately 40% of the state total on average across the five-year period.

“This unprecedented legislation makes Illinois the first state to completely remove the use of money in pretrial release procedures,” said Civic Federation President Laurence Msall. “The Federation is pleased to partner with the Illinois Supreme Court to paint a clearer fiscal picture of what the elimination of cash bail means for the state, and applauds the Task Force for commissioning this analysis.”

The report additionally found that clerks of circuit courts collected a total of \$14.9 million in bond processing fees (also known as bail bond costs) in 2016 and that this amount decreased to \$4.8 million in 2020. On average over this period, bond processing fees represented 8% of total bonds applied. These bond processing fees will be eliminated with the abolishment of cash bail.

When compared to circuit court clerks' total general fund fee revenue, bond processing fees represented 11% of clerks' fee revenue on average over the five-year period from 2016 through 2020. On average over this period, 58% of bond payments were distributed to county-specific fees, while the remaining 42% of bonds applied to fees were directed to other state or municipal fees.

The report was prepared by the Civic Federation for the Illinois Supreme Court Pretrial Practices Implementation Task Force (Task Force). The Civic Federation is an independent, non-partisan government research organization that provides analysis and recommendations on government finance issues for the Chicago region and State of Illinois. The Task Force, a multidisciplinary group comprised of representatives from all three branches of government which has been meeting regularly since July 2020, is chaired by the Hon. Robbin Stuckert.

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