

# SB1428



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

SB1428

Introduced 2/13/2019, by Sen. Emil Jones, III

#### SYNOPSIS AS INTRODUCED:

705 ILCS 35/2s new  
705 ILCS 45/2

from Ch. 37, par. 160.2

Amends the Circuit Courts Act. Provides that the associate judgeships in the Circuit of Cook County existing on the effective date are converted into resident judgeships. Provides that the Supreme Court shall allot the resident judgeships for election from the 15 subcircuits. Amends the Associate Judges Act.

LRB101 08864 HEP 53954 b

A BILL FOR

1 AN ACT concerning courts.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Circuit Courts Act is amended by adding  
5 Section 2s as follows:

6 (705 ILCS 35/2s new)

7 Sec. 2s. Additional resident judges; Circuit of Cook  
8 County. The associate judgeships in the Circuit of Cook County  
9 existing on the effective date of this amendatory Act of the  
10 101st General Assembly are converted into resident judgeships.  
11 The Supreme Court shall allot the resident judgeships created  
12 by this Section for election from the 15 subcircuits.

13 Section 10. The Associate Judges Act is amended by changing  
14 Section 2 as follows:

15 (705 ILCS 45/2) (from Ch. 37, par. 160.2)

16 Sec. 2. (a) The maximum number of associate judges  
17 authorized for each circuit is the greater of the applicable  
18 minimum number specified in this Section or one for each 35,000  
19 or fraction thereof in population as determined by the last  
20 preceding Federal census, except for circuits with a population  
21 of more than 3,000,000 where the maximum number of associate

1 judges is one for each 29,000 or fraction thereof in population  
2 as determined by the last preceding federal census, reduced in  
3 circuits of less than 200,000 inhabitants by the number of  
4 resident circuit judges elected in the circuit in excess of one  
5 per county. In addition, in circuits of 1,000,000 or more  
6 inhabitants, there shall be one additional associate judge  
7 authorized for each municipal district of the circuit court.  
8 The number of associate judges to be appointed in each circuit,  
9 not to exceed the maximum authorized, shall be determined from  
10 time to time by the Circuit Court. The minimum number of  
11 associate judges authorized for any circuit consisting of a  
12 single county, other than the circuit of Cook, shall be 14,  
13 except that the minimum in the 22nd circuit shall be 8 and  
14 except that the minimum in the 19th circuit on and after  
15 December 4, 2006 shall be 20. The minimum number of associate  
16 judges authorized for any circuit consisting of 2 counties with  
17 a combined population of at least 275,000 but less than 300,000  
18 shall be 10. The minimum number of associate judges authorized  
19 for any circuit with a population of at least 303,000 but not  
20 more than 309,000 shall be 10. The minimum number of associate  
21 judges authorized for any circuit with a population of at least  
22 329,000, but not more than 349,999 shall be 11. The minimum  
23 number of associate judges authorized for any circuit with a  
24 population of at least 173,000 shall be 5. As used in this  
25 Section, the term "resident circuit judge" has the meaning  
26 given it in the Judicial Vacancies Act.

1           (b) The maximum number of associate judges authorized under  
2 subsection (a) for a circuit with a population of more than  
3 3,000,000 shall be reduced as provided in this subsection (b).  
4 For each vacancy that exists on or occurs on or after the  
5 effective date of this amendatory Act of 1990, that maximum  
6 number shall be reduced by one until the total number of  
7 associate judges authorized under subsection (a) is reduced by  
8 60. A vacancy exists or occurs when an associate judge dies,  
9 resigns, retires, is removed, or is not reappointed upon  
10 expiration of his or her term; a vacancy does not exist or  
11 occur at the expiration of a term if the associate judge is  
12 reappointed.

13           (c) The maximum number of associate judges authorized under  
14 subsection (a) for the 17th judicial circuit shall be reduced  
15 as provided in this subsection (c). Due to the vacancy that  
16 exists on or after the effective date of this amendatory Act of  
17 the 93rd General Assembly in the associate judgeship that is  
18 converted into a resident judgeship under subsection (a-10) of  
19 Section 2f-6 of the Circuit Courts Act, the maximum number of  
20 judges authorized under subsection (a) of this Section shall be  
21 reduced by one. A vacancy exists or occurs when an associate  
22 judge dies, resigns, retires, is removed, or is not reappointed  
23 upon expiration of his or her term; a vacancy does not exist or  
24 occur at the expiration of a term if the associate judge is  
25 reappointed.

26           (d) The maximum number of associate judges authorized under

1 subsection (a) for the 23rd judicial circuit shall be reduced  
2 as provided in this subsection (d). Due to the vacancy that  
3 exists on or after the effective date of this amendatory Act of  
4 the 98th General Assembly in the associate judgeship that is  
5 converted into a resident judgeship under subsection (k) of  
6 Section 2f-10 of the Circuit Courts Act, the maximum number of  
7 judges authorized under subsection (a) of this Section shall be  
8 reduced by one.

9 (e) The maximum number of associate judges authorized under  
10 subsection (a) for the circuit of Cook County shall be reduced  
11 as provided in this subsection. The maximum number of judges  
12 authorized under subsection (a) shall be reduced by the number  
13 of associate judgeships converted into resident judgeships  
14 under Section 2s of the Circuit Courts Act.

15 (Source: P.A. 98-744, eff. 7-16-14; 99-520, eff. 6-30-16.)