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1 AMENDMENT TO SENATE BILL 2287

2 AMENDMENT NO. _____. Amend Senate Bill 2287 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Circuit Courts Act is amended by changing
5 Sections 2f-1, 2f-2, 2f-4, and 2f-5 as follows:

6 (705 ILCS 35/2f-1)

7 Sec. 2f-1. 19th and 22nd judicial circuits.

8 (a) On December 4, 2006, the 19th judicial circuit is
9 divided into the 19th and 22nd judicial circuits as provided in
10 Section 1 of the Circuit Courts Act. This division does not
11 invalidate any action taken by the 19th judicial circuit or any
12 of its judges, officers, employees, or agents before December
13 4, 2006. This division does not affect any person's rights,
14 obligations, or duties, including applicable civil and
15 criminal penalties, arising out of any action taken by the 19th
16 judicial circuit or any of its judges, officers, employees, or
17 agents before December 4, 2006.

18 (b) Of the 7 circuit judgeships elected at large in the
19 19th circuit before the general election in 2006, the Supreme
20 Court shall assign 5 to the 19th circuit and 2 to the 22nd
21 circuit, based on residency of the circuit judges then holding
22 those judgeships. The 5 assigned to the 19th circuit shall
23 continue to be elected at large. The 2 assigned to the 22nd
24 circuit shall continue to be elected at large.

1 (c) The 6 resident judgeships elected from Lake County
2 before the general election in 2006 shall become resident
3 judgeships in the 19th circuit on December 4, 2006, and the 3
4 resident judgeships elected from McHenry County before the
5 general election in 2006 shall become resident judgeships in
6 the 22nd circuit on December 4, 2006.

7 (d) On December 4, 2006, the Supreme Court shall allocate
8 the associate judgeships of the 19th circuit before that date
9 between the 19th and 22nd circuits based on the residency of
10 the associate judges; however, the number of associate judges
11 allocated to the 19th circuit shall be no less than the number
12 of associate judges residing in Lake County on March 22, 2004
13 ~~population of those circuits.~~

14 (e) On December 4, 2006, the Supreme Court shall allocate
15 personnel, books, records, documents, property (real and
16 personal), funds, assets, liabilities, and pending matters
17 concerning the 19th circuit before that date between the 19th
18 and 22nd circuits based on the population and staffing needs of
19 those circuits and the efficient and proper administration of
20 the judicial system. The rights of employees under applicable
21 collective bargaining agreements are not affected by this
22 amendatory Act of the 93rd General Assembly.

23 (f) The judgeships set forth in this Section include the
24 judgeships authorized under Sections 2g, 2h, and 2j. The
25 judgeships authorized in those Sections are not in addition to
26 those set forth in this Section.

27 (Source: P.A. 93-541, eff. 8-18-03.)

28 (705 ILCS 35/2f-2)

29 Sec. 2f-2. 19th judicial circuit; subcircuits.

30 (a) The 19th circuit shall be divided into 6 subcircuits.
31 The subcircuits shall be compact, contiguous, and
32 substantially equal in population. The General Assembly by law
33 shall create the subcircuits ~~on or before February 1, 2004,~~

1 using population data as determined by the 2000 federal census,
2 and shall determine a numerical order for the 6 subcircuits.
3 That numerical order shall be the basis for the order in which
4 resident judgeships are assigned to the subcircuits. Once a
5 resident judgeship is assigned to a subcircuit, it shall
6 continue to be assigned to that subcircuit for all purposes.

7 (b) The 19th circuit shall have a total of 6 resident
8 judgeships.

9 (c) The Supreme Court shall allot (i) all vacancies in
10 resident judgeships of the 19th circuit existing on or
11 occurring on or after the effective date of this amendatory Act
12 of the 93rd General Assembly and not filled at the 2004 general
13 election and (ii) the resident judgeships of the 19th circuit
14 filled at the 2004 general election as those judgeships
15 thereafter become vacant, for election from the various
16 subcircuits until there is one resident judge to be elected
17 from each subcircuit. No resident judge of the 19th circuit
18 serving on the effective date of this amendatory Act of the
19 93rd General Assembly shall be required to change his or her
20 residency in order to continue serving in office or to seek
21 retention in office as resident judgeships are allotted by the
22 Supreme Court in accordance with this Section.

23 (d) A resident judge of a subcircuit must reside in the
24 subcircuit and must continue to reside in that subcircuit as
25 long as he or she holds that office.

26 (e) Vacancies in resident judgeships of the 19th circuit
27 shall be filled in the manner provided in Article VI of the
28 Illinois Constitution.

29 (Source: P.A. 93-541, eff. 8-18-03.)

30 (705 ILCS 35/2f-4)

31 Sec. 2f-4. 12th circuit; subcircuits; additional judges.

32 (a) The 12th circuit shall be divided into 5 subcircuits.
33 The subcircuits shall be compact, contiguous, and

1 substantially equal in population. The General Assembly by law
2 shall create the subcircuits ~~on or before February 1, 2004,~~
3 using population data as determined by the 2000 federal census,
4 and shall determine a numerical order for the 5 subcircuits.
5 That numerical order shall be the basis for the order in which
6 resident judgeships are assigned to the subcircuits. Once a
7 resident judgeship is assigned to a subcircuit, it shall
8 continue to be assigned to that subcircuit for all purposes.

9 ~~(a-5) Two of the 12th circuit's associate judgeships shall~~
10 ~~be allotted as 12th circuit resident judgeships under~~
11 ~~subsection (c) as those associate judgeships are converted to~~
12 ~~resident judgeships in accordance with Section 2 of the~~
13 ~~Associate Judges Act.~~

14 (a-10) Of the 12th circuit's 10 existing circuit judgeships
15 (8 at large and 2 resident), 2 shall be allotted as 12th
16 circuit resident judgeships under subsection (c) as the first 2
17 of any of those at large and resident judgeships become vacant
18 on or after August 18, 2003 ~~the effective date of this~~
19 ~~amendatory Act of the 93rd General Assembly.~~ As used in this
20 subsection, a vacancy does not include the expiration of a term
21 of an at large or resident judge who seeks retention in that
22 office at the next term.

23 (b) The 12th circuit shall have 3 ~~one~~ additional resident
24 judgeships ~~judgeship~~, as well as its 2 existing resident
25 judgeships, and 8 at large judgeships, ~~and 2 former associate~~
26 ~~judgeships~~, for a total of 13 judgeships available to be
27 allotted to the 5 subcircuit resident judgeships. The
28 additional resident judgeship created by Public Act 93-541 ~~this~~
29 ~~amendatory Act of the 93rd General Assembly~~ shall be filled by
30 election beginning at the general election in 2006. The 2
31 additional resident judgeships created by this amendatory Act
32 of 2004 shall be filled by election beginning at the general
33 election in 2008. After the subcircuits are created by law, the
34 Supreme Court may ~~shall~~ fill by appointment the additional

1 resident ~~judgeships~~ ~~judgeship~~ created by Public Act 93-541 and
2 this amendatory Act of 2004 ~~the 93rd General Assembly~~ until the
3 2006 or 2008 general election, as the case may be.

4 (c) The Supreme Court shall allot (i) the additional
5 resident ~~judgeships~~ ~~judgeship~~ of the 12th circuit created by
6 Public Act 93-541 and this amendatory Act of 2004 ~~the 93rd~~
7 ~~General Assembly~~, and (ii) the first 2 vacancies in the at
8 large and resident judgeships of the 12th circuit as provided
9 in subsection (a-10), ~~and (iii) 2 associate judgeships of the~~
10 ~~12th circuit as they are converted to resident judgeships as~~
11 ~~provided in subsection (a-5)~~, for election from the various
12 subcircuits until there is one resident judge to be elected
13 from each subcircuit. No at large or resident judge of the 12th
14 circuit serving on August 18, 2003 ~~the effective date of this~~
15 ~~amendatory Act of the 93rd General Assembly~~ shall be required
16 to change his or her residency in order to continue serving in
17 office or to seek retention in office as at large or resident
18 judgeships are allotted by the Supreme Court in accordance with
19 this Section.

20 (d) A resident judge of a subcircuit must reside in the
21 subcircuit and must continue to reside in that subcircuit as
22 long as he or she holds that office.

23 (e) Vacancies in resident judgeships of the 12th circuit
24 shall be filled in the manner provided in Article VI of the
25 Illinois Constitution.

26 (Source: P.A. 93-541, eff. 8-18-03.)

27 (705 ILCS 35/2f-5)

28 Sec. 2f-5. 22nd circuit; subcircuits.

29 (a) The 22nd circuit shall be divided into 3 subcircuits.
30 The subcircuits shall be compact, contiguous, and
31 substantially equal in population. The General Assembly by law
32 shall create the subcircuits ~~on or before February 1, 2004,~~
33 using population data as determined by the 2000 federal census,

1 and shall determine a numerical order for the 3 subcircuits.
2 That numerical order shall be the basis for the order in which
3 resident judgeships are assigned to the subcircuits. Once a
4 resident judgeship is assigned to a subcircuit, it shall
5 continue to be assigned to that subcircuit for all purposes.

6 (b) The 22nd circuit shall have a total of 3 resident
7 judgeships.

8 (c) The Supreme Court shall allot (i) all vacancies in
9 resident judgeships of the 22nd circuit existing on or
10 occurring on or after the effective date of this amendatory Act
11 of the 93rd General Assembly and not filled at the 2004 general
12 election and (ii) the resident judgeships of the 22nd circuit
13 filled at the 2004 general election as those judgeships
14 thereafter become vacant, for election from the various
15 subcircuits until there is one resident judge to be elected
16 from each subcircuit. No resident judge of the 22nd circuit
17 serving on the effective date of this amendatory Act of the
18 93rd General Assembly shall be required to change his or her
19 residency in order to continue serving in office or to seek
20 retention in office as resident judgeships are allotted by the
21 Supreme Court in accordance with this Section.

22 (d) A resident judge of a subcircuit must reside in the
23 subcircuit and must continue to reside in that subcircuit as
24 long as he or she holds that office.

25 (e) Vacancies in resident judgeships of the 22nd circuit
26 shall be filled in the manner provided in Article VI of the
27 Illinois Constitution.

28 (Source: P.A. 93-541, eff. 8-18-03.)

29 Section 10. The Associate Judges Act is amended by changing
30 Section 2 as follows:

31 (705 ILCS 45/2) (from Ch. 37, par. 160.2)

32 Sec. 2. (a) The maximum number of associate judges

1 authorized for each circuit is the greater of the applicable
2 minimum number specified in this Section or one for each 35,000
3 or fraction thereof in population as determined by the last
4 preceding Federal census, except for circuits with a population
5 of more than 3,000,000 where the maximum number of associate
6 judges is one for each 29,000 or fraction thereof in population
7 as determined by the last preceding federal census, reduced in
8 circuits of less than 200,000 inhabitants by the number of
9 resident circuit judges elected in the circuit in excess of one
10 per county. In addition, in circuits of 1,000,000 or more
11 inhabitants, there shall be one additional associate judge
12 authorized for each municipal district of the circuit court.
13 The number of associate judges to be appointed in each circuit,
14 not to exceed the maximum authorized, shall be determined from
15 time to time by the Circuit Court. The minimum number of
16 associate judges authorized for any circuit consisting of a
17 single county shall be 14, except that the minimum in the 22nd
18 circuit shall be 8 and except that the minimum in the 19th
19 circuit on and after December 4, 2006 shall be 20. The minimum
20 number of associate judges authorized for any circuit
21 consisting of 2 counties with a combined population of at least
22 275,000 but less than 300,000 shall be 10. The minimum number
23 of associate judges authorized for any circuit with a
24 population of at least 303,000 but not more than 309,000 shall
25 be 10. The minimum number of associate judges authorized for
26 any circuit with a population of at least 329,000, but not more
27 than 335,000 shall be 11. The minimum number of associate
28 judges authorized for any circuit with a population of at least
29 173,000 shall be 5. As used in this Section, the term "resident
30 circuit judge" has the meaning given it in the Judicial
31 Vacancies Act.

32 (b) The maximum number of associate judges authorized under
33 subsection (a) for a circuit with a population of more than
34 3,000,000 shall be reduced as provided in this subsection (b).

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

10 ~~(c) The maximum number of associate judges authorized under~~
11 ~~subsection (a) for the 12th judicial circuit shall be reduced~~
12 ~~as provided in this subsection (c). For each vacancy that~~
13 ~~exists on or occurs after the effective date of this amendatory~~
14 ~~Act of the 93rd General Assembly, that maximum number shall be~~
15 ~~reduced by one until the total number of associate judges~~
16 ~~authorized under subsection (a) is reduced by 2. A vacancy~~
17 ~~exists or occurs when (i) a new associate judgeship has been~~
18 ~~authorized under subsection (a) for the 12th judicial circuit,~~
19 ~~but has not been filled by appointment or (ii) an associate~~
20 ~~judge dies, resigns, retires, is removed, or is not reappointed~~
21 ~~upon expiration of his or her term. A vacancy does not exist or~~
22 ~~occur at the expiration of a term if the associate judge is~~
23 ~~reappointed.~~

24 (Source: P.A. 92-17, eff. 6-28-01; 93-541, eff. 8-18-03.)

25 Section 99. Effective date. This Act takes effect upon
26 becoming law."