

1 AN ACT concerning government.

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

4 Section 5. The Illinois Public Labor Relations Act is
5 amended by changing Sections 3 and 4 and adding Section 2.5 as
6 follows:

7 (5 ILCS 315/2.5 new)

8 Sec. 2.5. Findings and declarations; court reporters. The
9 General Assembly finds and declares:

10 (1) It is the public policy of the State of Illinois and
11 the intent of the General Assembly that State employees,
12 including the Illinois official certified court reporters, are
13 granted collective bargaining rights as provided in this Act.

14 (2) The Illinois Supreme Court in the case of AOIC v.
15 Teamsters 726 ruled that the Illinois Public Labor Relations
16 Board could not assert jurisdiction over the Illinois official
17 certified court reporters because the Supreme Court is their
18 co-employer together with the Chief Judges of each judicial
19 circuit.

20 (3) As a result of the Supreme Court's decision, the
21 Illinois official certified court reporters have been denied
22 the labor rights afforded all other State employees, including
23 the rights to organize, to obtain recognition of their chosen
24 collective bargaining representative, and to negotiate with
25 respect to the wages, terms, and conditions of their
26 employment.

27 (4) The General Assembly intends to create a statutory
28 framework to allow Illinois official court reporters to enjoy
29 the same collective bargaining and other labor rights granted
30 to other public employees.

31 (5) Senate Resolution 431 and House Resolution 706, both of
32 the 92nd General Assembly, were adopted, and in enacting this

1 amendatory Act of the 94th General Assembly, the General
2 Assembly is implementing the intent of those resolutions.

3 (5 ILCS 315/3) (from Ch. 48, par. 1603)

4 Sec. 3. Definitions. As used in this Act, unless the
5 context otherwise requires:

6 (a) "Board" means the Illinois Labor Relations Board or,
7 with respect to a matter over which the jurisdiction of the
8 Board is assigned to the State Panel or the Local Panel under
9 Section 5, the panel having jurisdiction over the matter.

10 (b) "Collective bargaining" means bargaining over terms
11 and conditions of employment, including hours, wages, and other
12 conditions of employment, as detailed in Section 7 and which
13 are not excluded by Section 4.

14 (c) "Confidential employee" means an employee who, in the
15 regular course of his or her duties, assists and acts in a
16 confidential capacity to persons who formulate, determine, and
17 effectuate management policies with regard to labor relations
18 or who, in the regular course of his or her duties, has
19 authorized access to information relating to the effectuation
20 or review of the employer's collective bargaining policies.

21 (d) "Craft employees" means skilled journeymen, crafts
22 persons, and their apprentices and helpers.

23 (e) "Essential services employees" means those public
24 employees performing functions so essential that the
25 interruption or termination of the function will constitute a
26 clear and present danger to the health and safety of the
27 persons in the affected community.

28 (f) "Exclusive representative", except with respect to
29 non-State fire fighters and paramedics employed by fire
30 departments and fire protection districts, non-State peace
31 officers, and peace officers in the Department of State Police,
32 means the labor organization that has been (i) designated by
33 the Board as the representative of a majority of public
34 employees in an appropriate bargaining unit in accordance with
35 the procedures contained in this Act, (ii) historically

1 recognized by the State of Illinois or any political
2 subdivision of the State before July 1, 1984 (the effective
3 date of this Act) as the exclusive representative of the
4 employees in an appropriate bargaining unit, (iii) after July
5 1, 1984 (the effective date of this Act) recognized by an
6 employer upon evidence, acceptable to the Board, that the labor
7 organization has been designated as the exclusive
8 representative by a majority of the employees in an appropriate
9 bargaining unit; or (iv) recognized as the exclusive
10 representative of personal care attendants or personal
11 assistants under Executive Order 2003-8 prior to the effective
12 date of this amendatory Act of the 93rd General Assembly, and
13 the organization shall be considered to be the exclusive
14 representative of the personal care attendants or personal
15 assistants as defined in this Section.

16 With respect to non-State fire fighters and paramedics
17 employed by fire departments and fire protection districts,
18 non-State peace officers, and peace officers in the Department
19 of State Police, "exclusive representative" means the labor
20 organization that has been (i) designated by the Board as the
21 representative of a majority of peace officers or fire fighters
22 in an appropriate bargaining unit in accordance with the
23 procedures contained in this Act, (ii) historically recognized
24 by the State of Illinois or any political subdivision of the
25 State before January 1, 1986 (the effective date of this
26 amendatory Act of 1985) as the exclusive representative by a
27 majority of the peace officers or fire fighters in an
28 appropriate bargaining unit, or (iii) after January 1, 1986
29 (the effective date of this amendatory Act of 1985) recognized
30 by an employer upon evidence, acceptable to the Board, that the
31 labor organization has been designated as the exclusive
32 representative by a majority of the peace officers or fire
33 fighters in an appropriate bargaining unit.

34 (g) "Fair share agreement" means an agreement between the
35 employer and an employee organization under which all or any of
36 the employees in a collective bargaining unit are required to

1 pay their proportionate share of the costs of the collective
2 bargaining process, contract administration, and pursuing
3 matters affecting wages, hours, and other conditions of
4 employment, but not to exceed the amount of dues uniformly
5 required of members. The amount certified by the exclusive
6 representative shall not include any fees for contributions
7 related to the election or support of any candidate for
8 political office. Nothing in this subsection (g) shall preclude
9 an employee from making voluntary political contributions in
10 conjunction with his or her fair share payment.

11 (g-1) "Fire fighter" means, for the purposes of this Act
12 only, any person who has been or is hereafter appointed to a
13 fire department or fire protection district or employed by a
14 state university and sworn or commissioned to perform fire
15 fighter duties or paramedic duties, except that the following
16 persons are not included: part-time fire fighters, auxiliary,
17 reserve or voluntary fire fighters, including paid on-call fire
18 fighters, clerks and dispatchers or other civilian employees of
19 a fire department or fire protection district who are not
20 routinely expected to perform fire fighter duties, or elected
21 officials.

22 (g-2) "General Assembly of the State of Illinois" means the
23 legislative branch of the government of the State of Illinois,
24 as provided for under Article IV of the Constitution of the
25 State of Illinois, and includes but is not limited to the House
26 of Representatives, the Senate, the Speaker of the House of
27 Representatives, the Minority Leader of the House of
28 Representatives, the President of the Senate, the Minority
29 Leader of the Senate, the Joint Committee on Legislative
30 Support Services and any legislative support services agency
31 listed in the Legislative Commission Reorganization Act of
32 1984.

33 (h) "Governing body" means, in the case of the State, the
34 State Panel of the Illinois Labor Relations Board, the Director
35 of the Department of Central Management Services, and the
36 Director of the Department of Labor; the county board in the

1 case of a county; the corporate authorities in the case of a
2 municipality; and the appropriate body authorized to provide
3 for expenditures of its funds in the case of any other unit of
4 government.

5 (i) "Labor organization" means any organization in which
6 public employees participate and that exists for the purpose,
7 in whole or in part, of dealing with a public employer
8 concerning wages, hours, and other terms and conditions of
9 employment, including the settlement of grievances.

10 (j) "Managerial employee" means an individual who is
11 engaged predominantly in executive and management functions
12 and is charged with the responsibility of directing the
13 effectuation of management policies and practices.

14 (k) "Peace officer" means, for the purposes of this Act
15 only, any persons who have been or are hereafter appointed to a
16 police force, department, or agency and sworn or commissioned
17 to perform police duties, except that the following persons are
18 not included: part-time police officers, special police
19 officers, auxiliary police as defined by Section 3.1-30-20 of
20 the Illinois Municipal Code, night watchmen, "merchant
21 police", court security officers as defined by Section 3-6012.1
22 of the Counties Code, temporary employees, traffic guards or
23 wardens, civilian parking meter and parking facilities
24 personnel or other individuals specially appointed to aid or
25 direct traffic at or near schools or public functions or to aid
26 in civil defense or disaster, parking enforcement employees who
27 are not commissioned as peace officers and who are not armed
28 and who are not routinely expected to effect arrests, parking
29 lot attendants, clerks and dispatchers or other civilian
30 employees of a police department who are not routinely expected
31 to effect arrests, or elected officials.

32 (l) "Person" includes one or more individuals, labor
33 organizations, public employees, associations, corporations,
34 legal representatives, trustees, trustees in bankruptcy,
35 receivers, or the State of Illinois or any political
36 subdivision of the State or governing body, but does not

1 include the General Assembly of the State of Illinois or any
2 individual employed by the General Assembly of the State of
3 Illinois.

4 (m) "Professional employee" means any employee engaged in
5 work predominantly intellectual and varied in character rather
6 than routine mental, manual, mechanical or physical work;
7 involving the consistent exercise of discretion and adjustment
8 in its performance; of such a character that the output
9 produced or the result accomplished cannot be standardized in
10 relation to a given period of time; and requiring advanced
11 knowledge in a field of science or learning customarily
12 acquired by a prolonged course of specialized intellectual
13 instruction and study in an institution of higher learning or a
14 hospital, as distinguished from a general academic education or
15 from apprenticeship or from training in the performance of
16 routine mental, manual, or physical processes; or any employee
17 who has completed the courses of specialized intellectual
18 instruction and study prescribed in this subsection (m) and is
19 performing related work under the supervision of a professional
20 person to qualify to become a professional employee as defined
21 in this subsection (m).

22 (n) "Public employee" or "employee", for the purposes of
23 this Act, means any individual employed by a public employer,
24 including interns and residents at public hospitals and, as of
25 the effective date of this amendatory Act of the 93rd General
26 Assembly, but not before, personal care attendants and personal
27 assistants working under the Home Services Program under
28 Section 3 of the Disabled Persons Rehabilitation Act, subject
29 to the limitations set forth in this Act and in the Disabled
30 Persons Rehabilitation Act, but excluding all of the following:
31 employees of the General Assembly of the State of Illinois;
32 elected officials; executive heads of a department; members of
33 boards or commissions; the Executive Inspectors General; any
34 special Executive Inspectors General; employees of each Office
35 of an Executive Inspector General; commissioners and employees
36 of the Executive Ethics Commission; the Auditor General's

1 Inspector General; employees of the Office of the Auditor
2 General's Inspector General; the Legislative Inspector
3 General; any special Legislative Inspectors General; employees
4 of the Office of the Legislative Inspector General;
5 commissioners and employees of the Legislative Ethics
6 Commission; employees of any agency, board or commission
7 created by this Act; employees appointed to State positions of
8 a temporary or emergency nature; all employees of school
9 districts and higher education institutions except
10 firefighters and peace officers employed by a state university;
11 managerial employees; short-term employees; confidential
12 employees; independent contractors; and supervisors except as
13 provided in this Act.

14 Personal care attendants and personal assistants shall not
15 be considered public employees for any purposes not
16 specifically provided for in this amendatory Act of the 93rd
17 General Assembly, including but not limited to, purposes of
18 vicarious liability in tort and purposes of statutory
19 retirement or health insurance benefits. Personal care
20 attendants and personal assistants shall not be covered by the
21 State Employees Group Insurance Act of 1971 (5 ILCS 375/).

22 Notwithstanding Section 9, subsection (c), or any other
23 provisions of this Act, all peace officers above the rank of
24 captain in municipalities with more than 1,000,000 inhabitants
25 shall be excluded from this Act.

26 (o) Except as otherwise in subsection (o-5), "~~public~~ ~~Public~~
27 employer" or "employer" means the State of Illinois; any
28 political subdivision of the State, unit of local government or
29 school district; authorities including departments, divisions,
30 bureaus, boards, commissions, or other agencies of the
31 foregoing entities; and any person acting within the scope of
32 his or her authority, express or implied, on behalf of those
33 entities in dealing with its employees. As of the effective
34 date of this amendatory Act of the 93rd General Assembly, but
35 not before, the State of Illinois shall be considered the
36 employer of the personal care attendants and personal

1 assistants working under the Home Services Program under
2 Section 3 of the Disabled Persons Rehabilitation Act, subject
3 to the limitations set forth in this Act and in the Disabled
4 Persons Rehabilitation Act. The State shall not be considered
5 to be the employer of personal care attendants and personal
6 assistants for any purposes not specifically provided for in
7 this amendatory Act of the 93rd General Assembly, including but
8 not limited to, purposes of vicarious liability in tort and
9 purposes of statutory retirement or health insurance benefits.
10 Personal care attendants and personal assistants shall not be
11 covered by the State Employees Group Insurance Act of 1971 (5
12 ILCS 375/). "Public employer" or "employer" as used in this
13 Act, however, does not mean and shall not include the General
14 Assembly of the State of Illinois, the Executive Ethics
15 Commission, the Offices of the Executive Inspectors General,
16 the Legislative Ethics Commission, the Office of the
17 Legislative Inspector General, the Office of the Auditor
18 General's Inspector General, and educational employers or
19 employers as defined in the Illinois Educational Labor
20 Relations Act, except with respect to a state university in its
21 employment of firefighters and peace officers. County boards
22 and county sheriffs shall be designated as joint or
23 co-employers of county peace officers appointed under the
24 authority of a county sheriff. Nothing in this subsection (o)
25 shall be construed to prevent the State Panel or the Local
26 Panel from determining that employers are joint or
27 co-employers.

28 (o-5) With respect to wages, fringe benefits, hours,
29 holidays, vacations, proficiency examinations, sick leave, and
30 other conditions of employment, the public employer of public
31 employees who are court reporters, as defined in the Court
32 Reporters Act, shall be determined as follows:

33 (1) For court reporters employed by the Cook County
34 Judicial Circuit, the chief judge of the Cook County
35 Circuit Court is the public employer and employer
36 representative.

1 (2) For court reporters employed by the 12th, 18th,
2 19th, and, on and after December 4, 2006, the 22nd judicial
3 circuits, a group consisting of the chief judges of those
4 circuits, acting jointly by majority vote, is the public
5 employer and employer representative.

6 (3) For court reporters employed by all other judicial
7 circuits, a group consisting of the chief judges of those
8 circuits, acting jointly by majority vote, is the public
9 employer and employer representative.

10 (p) "Security employee" means an employee who is
11 responsible for the supervision and control of inmates at
12 correctional facilities. The term also includes other
13 non-security employees in bargaining units having the majority
14 of employees being responsible for the supervision and control
15 of inmates at correctional facilities.

16 (q) "Short-term employee" means an employee who is employed
17 for less than 2 consecutive calendar quarters during a calendar
18 year and who does not have a reasonable assurance that he or
19 she will be rehired by the same employer for the same service
20 in a subsequent calendar year.

21 (r) "Supervisor" is an employee whose principal work is
22 substantially different from that of his or her subordinates
23 and who has authority, in the interest of the employer, to
24 hire, transfer, suspend, lay off, recall, promote, discharge,
25 direct, reward, or discipline employees, to adjust their
26 grievances, or to effectively recommend any of those actions,
27 if the exercise of that authority is not of a merely routine or
28 clerical nature, but requires the consistent use of independent
29 judgment. Except with respect to police employment, the term
30 "supervisor" includes only those individuals who devote a
31 preponderance of their employment time to exercising that
32 authority, State supervisors notwithstanding. In addition, in
33 determining supervisory status in police employment, rank
34 shall not be determinative. The Board shall consider, as
35 evidence of bargaining unit inclusion or exclusion, the common
36 law enforcement policies and relationships between police

1 officer ranks and certification under applicable civil service
2 law, ordinances, personnel codes, or Division 2.1 of Article 10
3 of the Illinois Municipal Code, but these factors shall not be
4 the sole or predominant factors considered by the Board in
5 determining police supervisory status.

6 Notwithstanding the provisions of the preceding paragraph,
7 in determining supervisory status in fire fighter employment,
8 no fire fighter shall be excluded as a supervisor who has
9 established representation rights under Section 9 of this Act.
10 Further, in new fire fighter units, employees shall consist of
11 fire fighters of the rank of company officer and below. If a
12 company officer otherwise qualifies as a supervisor under the
13 preceding paragraph, however, he or she shall not be included
14 in the fire fighter unit. If there is no rank between that of
15 chief and the highest company officer, the employer may
16 designate a position on each shift as a Shift Commander, and
17 the persons occupying those positions shall be supervisors. All
18 other ranks above that of company officer shall be supervisors.

19 (s) (1) "Unit" means a class of jobs or positions that are
20 held by employees whose collective interests may suitably
21 be represented by a labor organization for collective
22 bargaining. Except with respect to non-State fire fighters
23 and paramedics employed by fire departments and fire
24 protection districts, non-State peace officers, and peace
25 officers in the Department of State Police, a bargaining
26 unit determined by the Board shall not include both
27 employees and supervisors, or supervisors only, except as
28 provided in paragraph (2) of this subsection (s) and except
29 for bargaining units in existence on July 1, 1984 (the
30 effective date of this Act). With respect to non-State fire
31 fighters and paramedics employed by fire departments and
32 fire protection districts, non-State peace officers, and
33 peace officers in the Department of State Police, a
34 bargaining unit determined by the Board shall not include
35 both supervisors and nonsupervisors, or supervisors only,
36 except as provided in paragraph (2) of this subsection (s)

1 and except for bargaining units in existence on January 1,
2 1986 (the effective date of this amendatory Act of 1985). A
3 bargaining unit determined by the Board to contain peace
4 officers shall contain no employees other than peace
5 officers unless otherwise agreed to by the employer and the
6 labor organization or labor organizations involved.
7 Notwithstanding any other provision of this Act, a
8 bargaining unit, including a historical bargaining unit,
9 containing sworn peace officers of the Department of
10 Natural Resources (formerly designated the Department of
11 Conservation) shall contain no employees other than such
12 sworn peace officers upon the effective date of this
13 amendatory Act of 1990 or upon the expiration date of any
14 collective bargaining agreement in effect upon the
15 effective date of this amendatory Act of 1990 covering both
16 such sworn peace officers and other employees.

17 (2) Notwithstanding the exclusion of supervisors from
18 bargaining units as provided in paragraph (1) of this
19 subsection (s), a public employer may agree to permit its
20 supervisory employees to form bargaining units and may
21 bargain with those units. This Act shall apply if the
22 public employer chooses to bargain under this subsection.

23 (3) Public employees who are court reporters, as
24 defined in the Court Reporters Act, shall be divided into 3
25 units for collective bargaining purposes. One unit shall be
26 court reporters employed by the Cook County Judicial
27 Circuit; one unit shall be court reporters employed by the
28 12th, 18th, 19th, and, on and after December 4, 2006, the
29 22nd judicial circuits; and one unit shall be court
30 reporters employed by all other judicial circuits.

31 (Source: P.A. 93-204, eff. 7-16-03; 93-617, eff. 12-9-03.)

32 (5 ILCS 315/4) (from Ch. 48, par. 1604)

33 Sec. 4. Management Rights. Employers shall not be required
34 to bargain over matters of inherent managerial policy, which
35 shall include such areas of discretion or policy as the

1 functions of the employer, standards of services, its overall
2 budget, the organizational structure and selection of new
3 employees, examination techniques and direction of employees.
4 Employers, however, shall be required to bargain collectively
5 with regard to policy matters directly affecting wages, hours
6 and terms and conditions of employment as well as the impact
7 thereon upon request by employee representatives.

8 To preserve the rights of employers and exclusive
9 representatives which have established collective bargaining
10 relationships or negotiated collective bargaining agreements
11 prior to the effective date of this Act, employers shall be
12 required to bargain collectively with regard to any matter
13 concerning wages, hours or conditions of employment about which
14 they have bargained for and agreed to in a collective
15 bargaining agreement prior to the effective date of this Act.

16 The chief judge of the judicial circuit that employs a
17 public employee who is a court reporter, as defined in the
18 Court Reporters Act, has the authority to hire, appoint,
19 promote, evaluate, discipline, and discharge court reporters
20 within that judicial circuit.

21 Nothing in this amendatory Act of the 94th General Assembly
22 shall be construed to intrude upon the judicial functions of
23 any court. This amendatory Act of the 94th General Assembly
24 applies only to nonjudicial administrative matters relating to
25 the collective bargaining rights of court reporters.

26 (Source: P.A. 83-1012.)

27 Section 10. The Court Reporters Act is amended by changing
28 Sections 1, 3, 4, 4.1, 5, 6, 7, and 8 and adding Section 8.1 as
29 follows:

30 (705 ILCS 70/1) (from Ch. 37, par. 651)

31 Sec. 1. Definitions. In this Act:

32 "Court reporter", ~~for the purposes of this Act,~~ means any
33 person appointed by the chief judge of any circuit to perform
34 the duties prescribed in Section 5 of this Act.

1 "Employer representative" means, with respect to wages,
2 fringe benefits, hours, holidays, vacation, proficiency
3 examinations, sick leave, and other conditions of employment:

4 (1) For court reporters employed by the Cook County
5 Judicial Circuit, the chief judge of the Cook County
6 Circuit Court.

7 (2) For court reporters employed by the 12th, 18th,
8 19th, and, on and after December 4, 2006, the 22nd judicial
9 circuits, a group consisting of the chief judges of those
10 circuits, acting jointly by majority vote.

11 (3) For court reporters employed by all other judicial
12 circuits, the chief judges of those circuits, acting
13 jointly by majority vote.

14 The chief judge of the judicial circuit that employs a
15 public employee who is a court reporter, as defined in the
16 Court Reporters Act, has the authority to hire, appoint,
17 promote, evaluate, discipline, and discharge court reporters
18 within that judicial circuit.

19 (Source: Laws 1965, p. 2616.)

20 (705 ILCS 70/3) (from Ch. 37, par. 653)

21 Sec. 3. Number; ~~determination and certification by supreme~~
22 ~~court~~. The number of full-time and part-time court reporters
23 that may be appointed in each circuit shall be determined by
24 the employer representative ~~Supreme Court~~. In determining how
25 many court reporters are needed in each circuit the employer
26 representative ~~Supreme Court~~ shall consider the following
27 factors: (1) case loads in the circuit; (2) the number of
28 associate judges and circuit judges in the circuit; (3) the
29 number and location in the circuit of major federal and state
30 highways; (4) the location in the circuit of state police
31 highway truck weighing stations; (5) the relationship of urban
32 population to large metropolitan centers in the various
33 counties of the circuit; (6) the location in the circuit of
34 state institutions including, but not limited to,
35 universities, colleges, mental health facilities,

1 penitentiaries; (7) the number of cities and towns within each
2 circuit in which regular court sessions are held and the
3 distance in road miles between each; and (8) any other factor
4 deemed relevant by the employer representative ~~Supreme Court~~.

5 The employer representative ~~The Supreme Court shall~~
6 ~~certify in writing to each chief judge the number of full-time~~
7 ~~and part-time court reporters the chief judge may appoint in~~
8 ~~his circuit and~~ may, as the need arises, increase or lower the
9 number of such court reporters so authorized.

10 The Chief Judge of each circuit may designate any number of
11 ~~Supreme Court~~ approved full-time court reporter positions as
12 time share positions. For the purposes of this Act, "time share
13 position" means a full-time court reporter position that is
14 divided among 2 or more court reporters with the full-time
15 salary and benefits being apportioned among the court reporters
16 in the same percentage as the duties of the full-time position
17 are apportioned.

18 (Source: P.A. 86-827.)

19 (705 ILCS 70/4) (from Ch. 37, par. 654)

20 Sec. 4. Appointment; oath. The chief judge may appoint all
21 or any of the number of court reporters authorized by Section 3
22 of this Act ~~certification of the Supreme Court~~. The court
23 reporters so appointed shall serve at the direction ~~pleasure~~ of
24 the chief judge and may be removed by the chief judge.

25 Each court reporter appointed shall, before entering upon
26 the duties of his office, take the official oath to faithfully
27 discharge the duties of his office to the best of his knowledge
28 and ability.

29 The appointments shall be in writing and shall be filed
30 with the Clerk of the Circuit Court of the circuit in which the
31 court reporters are employed ~~Supreme Court~~ and shall continue
32 in force until revoked by the chief judge of the circuit in
33 which the court reporter is appointed.

34 (Source: P.A. 84-1395.)

1 (705 ILCS 70/4.1) (from Ch. 37, par. 654.1)

2 Sec. 4.1. Appointment and salary of administrative
3 personnel.

4 (a) The employer representative ~~Supreme Court~~ may
5 authorize the chief judge of any single county circuit in which
6 official court reporting services are centrally administered,
7 (1) to appoint from among the court reporters appointed in the
8 circuit an Administrator of Court Reporters, a Deputy
9 Administrator of Court Reporters and 2 Assistant
10 Administrators of Court Reporters, (2) to designate from among
11 the court reporters appointed in the circuit one Reporter
12 Supervisor and one Assistant Reporter Supervisor for each
13 Department and Division of the circuit court, and (3) to
14 appoint secretarial and other support staff to assist the
15 Administrator. Each Administrator, Deputy Administrator,
16 Assistant Administrator, Reporter Supervisor, and Assistant
17 Reporter Supervisor shall have an "A" proficiency rating, by
18 examination, as provided in Section 7.

19 (b) Administrative personnel appointed under this Section
20 shall be paid by the State.

21 (1) In addition to their regular salary as official court
22 reporters, the administrative personnel appointed under this
23 Section shall be paid such additional sums as the employer
24 representative ~~Supreme Court~~ specifies. Such sums shall be
25 included in the pay schedule adopted pursuant to Section 8. The
26 additional amounts paid shall reflect the burden of
27 administrative responsibility borne by the administrative
28 personnel and the consequent lack of opportunity to produce
29 transcripts of testimony. The additional amounts paid to such
30 personnel shall not exceed the following:

31 (A) Administrator of Court Reporters: \$20,000 per
32 year;

33 (B) Deputy Administrator of Court Reporters: \$15,000
34 per year;

35 (C) Assistant Administrators of Court Reporters:
36 \$13,000 per year;

1 (D) Reporter Supervisors: \$10,000 per year.

2 (E) Assistant Reporter Supervisors: \$5,000 per year.

3 (2) Each of the secretarial and other support staff
4 authorized under this Section shall be paid a salary as
5 determined per year by the employer representative ~~Supreme~~
6 ~~Court~~.

7 (Source: P.A. 86-1378.)

8 (705 ILCS 70/5) (from Ch. 37, par. 655)

9 Sec. 5. Means of reporting; transcripts. The court reporter
10 shall make a full reporting by means of stenographic hand or
11 machine notes, or a combination thereof, of the evidence and
12 such other proceedings in trials and judicial proceedings to
13 which he is assigned by the chief judge, and the court reporter
14 may use an electronic instrument as a supplementary device. In
15 the event that the court utilizes an audio or video recording
16 system to record the proceedings, a court reporter shall be in
17 charge of such system; however, the appointment of a court
18 reporter to be in charge of an audio or video recording system
19 shall not be required where such system is the judge's personal
20 property or has been supplied by a party or such party's
21 attorney. To the extent that it does not substantially
22 interfere with the court reporter's other official duties, the
23 judge to whom, or a judge of the division to which, a reporter
24 is assigned may assign a reporter to secretarial or clerical
25 duties arising out of official court operations.

26 Unless and until otherwise provided in a Uniform Schedule
27 of Charges which may hereafter be provided by rule or order of
28 the employer representative ~~Supreme Court~~, a court reporter may
29 charge not to exceed 25¢ per 100 words for making transcripts
30 of his notes. The fees for making transcripts shall be paid in
31 the first instance by the party in whose behalf such transcript
32 is ordered and shall be taxed in the suit.

33 The transcripts shall be filed and remain with the papers
34 of the case. When the judge trying the case shall, of his own
35 motion, order a transcript of the court reporter's notes, the

1 judge may direct the payment of the charges therefor, and the
2 taxation of the charges as costs in such manner as to him may
3 seem just. Provided, that the charges for making but one
4 transcript shall be taxed as costs and the party first ordering
5 the transcript shall have preference unless it shall be
6 otherwise ordered by the court.

7 The change made to this Section by this amendatory Act of
8 1987 is intended to apply retroactively from and after January
9 1, 1987.

10 (Source: P.A. 85-981.)

11 (705 ILCS 70/6) (from Ch. 37, par. 656)

12 Sec. 6. Assignment to serve outside of county of
13 appointment; Travel expenses.

14 The chief judge may assign a court reporter to serve
15 anywhere within the circuit in which the court reporter is
16 appointed. A court reporter shall be paid travel expenses
17 incurred in connection with his official duties in his circuit
18 of appointment outside the county wherein he resides. Subject
19 to regulations which may be adopted by the Supreme Court, court
20 reporters shall be allowed travel expenses when traveling
21 within their county of residence in connection with their
22 official duties.

23 The employer representative ~~Supreme Court~~ may assign a
24 court reporter to temporary service outside his own circuit,
25 but within the jurisdiction of the employer representative,
26 with the consent of the chief judge of his circuit. A court
27 reporter shall be paid travel expenses incurred in connection
28 with his official duties during such periods of temporary
29 assignment.

30 Expense vouchers shall be submitted to the employer
31 representative ~~Supreme Court~~ for approval. The expense
32 vouchers or claims submitted to the employer representative
33 ~~Supreme Court~~ shall have endorsed thereon the signed approval
34 of the chief judge of the circuit in which the court reporter
35 incurred the expense for which claim is made.

1 (Source: P.A. 77-1685.)

2 (705 ILCS 70/7) (from Ch. 37, par. 657)

3 Sec. 7. Proficiency tests. Except as otherwise provided in
4 this Section, each court reporter in office on January 1, 1966
5 or appointed on or after that date shall have taken or shall
6 thereafter take a test to rate his proficiency. The test shall
7 be prepared and administered by the employer representative in
8 consultation with each of the other employer representatives
9 ~~Supreme Court~~. The test shall consist of three parts designated
10 Part A, Part B and Part C. If the court reporter in office on
11 January 1, 1966, or appointed on or after that date,
12 successfully passes any Part he shall be given a certificate
13 designating him as an official court reporter. If such court
14 reporter fails to pass any part, the employer representative
15 ~~Supreme Court~~ shall so inform the chief judge of the circuit in
16 which the court reporter serves. Upon receipt of note that a
17 court reporter has failed to pass any part of the test, the
18 chief judge may discharge the court reporter or may allow him
19 to continue until the test is next administered. If, when the
20 test is next administered, the court reporter fails to pass any
21 part of the test, he shall be discharged by the chief judge.

22 The test shall be administered at least every six months if
23 there are candidates or applicants for the test. Any court
24 reporter who has passed Part C of the test may apply to take
25 the Part B or the Part A section of the test at the regular time
26 such tests are given. If the court reporter successfully
27 completes Part B or Part A of the test, his proficiency rating
28 shall be adjusted to reflect passage of the more difficult
29 Part.

30 Any court reporter who served as a court reporter in a
31 circuit court for 5 years immediately preceding January 1, 1966
32 shall be certified as an official court reporter without
33 examination, and shall be credited with an "A" proficiency
34 rating, without examination.

35 (Source: P.A. 84-1395.)

1 (705 ILCS 70/8) (from Ch. 37, par. 658)

2 Sec. 8. Salaries.

3 (a) The salaries of all court reporters shall be paid by
4 the State. Full-time court reporters shall be paid not less
5 than \$6,000 nor more than \$29,500 per year through June 30,
6 1984. Beginning July 1, 1984, full-time court reporters shall
7 be paid not less than \$6,000 nor more than \$31,250 annually.
8 Beginning July 1, 1985, full-time court reporters shall be paid
9 not less than \$6,000 nor more than \$33,250 annually. Beginning
10 July 1, 1986, full-time court reporters shall be paid not less
11 than \$6,000 nor more than \$35,250 annually. Beginning July 1,
12 1987, full-time court reporters shall be paid not less than
13 \$6,000 nor more than \$37,250 annually. Part-time court
14 reporters shall be paid not less than \$12 nor more than \$60 per
15 half-day. The salary of each individual court reporter shall be
16 computed from a schedule adopted by the employer representative
17 ~~Supreme Court~~. The salary schedule shall reflect the following
18 relevant factors: (1) proficiency rating; (2) experience; (3)
19 population of the area to which a reporter is normally
20 assigned; (3-1) court reporters shall receive the same annual
21 percentage salary increase as provided to other State-paid
22 non-judicial employees of the Judicial Branch with equivalent
23 salaries, except that notwithstanding any other provision of
24 law, salaries of full time court reporters shall be increased
25 by at least a percentage increase equivalent to that of the
26 "Employment Cost Index, Wages and Salaries, by Occupation and
27 Industry Groups, State and Local Government Workers Public
28 Administration", as published by the Bureau of Labor Statistics
29 of the U.S. Department of Labor for the calendar year
30 immediately preceding the year of the respective July 1st
31 increase date. The increase shall be added to the then current
32 annual salary and the adjusted salary so determined shall be
33 the annual salary beginning July 1 of the increase year until
34 July 1 of the next year; (4) other factors considered relevant
35 by the Director.

1 (b) (Blank). ~~Not less than 60 days before the effective~~
2 ~~date of this Act, the chief judge of each circuit shall submit~~
3 ~~to the Supreme Court, on forms to be provided by the Supreme~~
4 ~~Court, such information as may be necessary to implement the~~
5 ~~Provisions of this Act.~~

6 (c) A court reporter who has previously passed, or who
7 hereafter passes, Part A or Part B of a proficiency test
8 prepared and administered by the employer representative
9 ~~Supreme Court~~ shall be credited with an "A" or "B" proficiency
10 rating, as appropriate.

11 (d) A court reporter who has been credited with an "A"
12 proficiency rating, without examination, as provided in
13 Section 7 of this Act, shall receive a salary of \$10,000 per
14 annum. Any increase in the maximum salary payable to reporters
15 shall not result in any increase for such reporter unless and
16 until he has passed the proficiency test.

17 (e) The salaries of all official court reporters employed
18 by the State shall be paid monthly, from moneys appropriated to
19 the Comptroller for that purpose, on the voucher of the chief
20 judge of the circuit employing the court reporters ~~Supreme~~
21 ~~Court~~. The Comptroller ~~Supreme Court~~ may require all salary
22 claims by part-time reporters to be substantiated by
23 certificates signed by the reporter and approved by the chief
24 judge of the circuit.

25 (f) The salaries of time share court reporter positions may
26 be apportioned in the manner provided in Section 3 of this Act.

27 (Source: P.A. 88-475.)

28 (705 ILCS 70/8.1 new)

29 Sec. 8.1. Appropriation request. Each employer
30 representative shall make an annual appropriation request in
31 January to the General Assembly to fund court reporters. When
32 necessary, an employer representative may request supplemental
33 appropriations to fund court reporters.

34 Section 15. The Court Reporter Transcript Act is amended by

1 changing Section 4 as follows:

2 (705 ILCS 75/4) (from Ch. 37, par. 664)

3 Sec. 4. The reporter, in full for all his services in
4 connection with the transcribing and filing or furnishing the
5 transcripts referred to in this Act, shall be paid a fee as
6 provided in Section 5 of the Court Reporters Act, ~~approved~~
7 ~~August 5, 1965, as amended~~. All such fees shall be paid out of
8 the State Treasury on the warrant of the chief judge of the
9 circuit employing the court reporter ~~Supreme Court~~, from
10 appropriations made to the Comptroller for such purpose, upon
11 presentation of a certificate signed by the presiding judge
12 setting the amount due said reporter. Such certificate shall as
13 to each original transcript (and a copy or copies where fee for
14 a copy or copies is authorized by statute or Illinois Supreme
15 Court Rule) set forth the title and number of the cause in
16 which the transcript was required to be furnished, the nature
17 of the proceedings transcribed (whether an arraignment,
18 proceedings at criminal trial or proceedings at
19 post-conviction hearing) and the fee approved therefor. The
20 employer representative, as defined in the Court Reporters Act,
21 ~~Supreme Court~~ may prescribe the form of the certificate and
22 furnish same.

23 (Source: P.A. 90-505, eff. 8-19-97.)

24 Section 95. Liberal construction. This Act shall be
25 liberally construed to effectuate its purpose of facilitating
26 the equitable resolution of labor relations concerning court
27 reporters.

28 Section 97. Severability. The provisions of this Act are
29 severable under Section 1.31 of the Statute on Statutes.

30 Section 99. Effective date. This Act takes effect upon
31 becoming law.