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1 AMENDMENT TO HOUSE BILL 4543

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4543 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-2, 2f-5, 2f-6, and 2f-9 and by adding Sections 2k,  
6 2k-1, 2k-2, 2k-3, and 2k-4 as follows:

7 (705 ILCS 35/2f-2)

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

9 (a) The 19th circuit shall be divided into 6 subcircuits.

10 The subcircuits shall be compact, contiguous, and  
11 substantially equal in population. The General Assembly by law  
12 shall create the subcircuits, using population data as  
13 determined by the 2000 federal census, and shall determine a  
14 numerical order for the 6 subcircuits. That numerical order  
15 shall be the basis for the order in which resident judgeships  
16 are assigned to the subcircuits. Once a resident judgeship is

1 assigned to a subcircuit, it shall continue to be assigned to  
2 that subcircuit for all purposes.

3 (a-5) The first vacancy in the 19th judicial circuit's 6  
4 existing circuit judgeships, but not in the additional  
5 judgeship described in subsection (b-5), that exists on or  
6 after the effective date of this amendatory Act of the 95th  
7 General Assembly shall not be filled, by appointment or  
8 election, and that judgeship is eliminated. Of the 19th  
9 judicial circuit's 6 existing circuit judgeships, but not the  
10 additional judgeship described in subsection (b-5), the second  
11 and subsequent to be vacant or become vacant on or after the  
12 effective date of this amendatory Act of the 95th General  
13 Assembly shall be allotted as 19th circuit resident judgeships  
14 under subsection (c). As used in this subsection, a vacancy  
15 does not include the expiration of a term of a resident judge  
16 who seeks retention in that office at the next term.

17 (b) The 19th circuit shall have a total of 6 resident  
18 judgeships, except as provided in subsections (a-5) and (b-5).  
19 The number of resident judgeships allotted to subcircuits of  
20 the 19th judicial circuit pursuant to this Section shall  
21 constitute all the resident judgeships of the 19th judicial  
22 circuit, except as provided in subsections (a-5) and (b-5).

23 (b-5) In addition to the number of circuit judges and  
24 resident judges otherwise authorized by law, and  
25 notwithstanding any other provision of law, beginning on August  
26 7, 2007 there shall be one additional resident judge who is a

1 resident of and elected from the 4th judicial subcircuit of the  
2 19th judicial circuit. That additional resident judgeship may  
3 be filled by appointment by the Illinois Supreme Court until  
4 filled by election at the general election in 2010, regardless  
5 of whether the judgeships for subcircuits 1, 2, and 3 have been  
6 filled.

7 (c) The Supreme Court shall allot, other than the vacant  
8 resident judgeship eliminated pursuant to subsection (a-5),

9 (i) all vacancies in resident judgeships of the 19th circuit  
10 existing on or occurring on or after the effective date of this  
11 amendatory Act of the 93rd General Assembly and not filled at  
12 the 2004 general election and (ii) the resident judgeships of  
13 the 19th circuit filled at the 2004 general election as those  
14 judgeships thereafter become vacant, for election from the  
15 various subcircuits until, with the judge of the 4th subcircuit  
16 described in subsection (b-5), there is one resident judge to  
17 be elected from each subcircuit. No resident judge of the 19th  
18 circuit serving on the effective date of this amendatory Act of  
19 the 93rd General Assembly shall be required to change his or  
20 her 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 elected from a subcircuit shall  
24 continue to reside in that subcircuit as long as he or she  
25 holds that office. A resident judge elected from a subcircuit  
26 after January 1, 2008, must retain residency as a registered

1 voter in the subcircuit to run for retention from the circuit  
2 at large thereafter.

3 (e) Vacancies in resident judgeships of the 19th circuit  
4 shall be filled in the manner provided in Article VI of the  
5 Illinois Constitution.

6 (Source: P.A. 94-727, eff. 2-14-06; 95-610, eff. 9-11-07.)

7 (705 ILCS 35/2f-5)

8 Sec. 2f-5. 22nd circuit; subcircuits; additional resident  
9 judgeship.

10 (a) The 22nd circuit shall be divided into 4 subcircuits.  
11 The subcircuits shall be compact, contiguous, and  
12 substantially equal in population. The General Assembly by law  
13 shall create the subcircuits, using population data as  
14 determined by the 2000 federal census, and shall determine a  
15 numerical order for the 4 subcircuits. That numerical order  
16 shall be the basis for the order in which resident judgeships  
17 are assigned to the subcircuits. Once a resident judgeship is  
18 assigned to a subcircuit, it shall continue to be assigned to  
19 that subcircuit for all purposes.

20 (b) Other than the resident judgeship added by this  
21 amendatory Act of the 95th General Assembly, the ~~The~~ 22nd  
22 circuit shall have one additional resident judgeship, as well  
23 as its 3 existing resident judgeships, for a total of 4  
24 resident judgeships to be allotted to the 4 subcircuit resident  
25 judgeships. The additional resident judgeship created by this

1 amendatory Act of the 93rd General Assembly shall be filled by  
2 election beginning at the general election in 2006 and shall  
3 not be filled by appointment before the general election in  
4 2006. The number of resident judgeships allotted to subcircuits  
5 of the 22nd judicial circuit pursuant to this Section, and the  
6 resident judgeship added by this amendatory Act of the 95th  
7 General Assembly, shall constitute all the resident judgeships  
8 of the 22nd judicial circuit.

9 (c) The Supreme Court shall allot (i) all eligible  
10 vacancies in resident judgeships of the 22nd circuit existing  
11 on or occurring on or after August 18, 2003 and not filled at  
12 the 2004 general election, (ii) the resident judgeships of the  
13 22nd circuit filled at the 2004 general election as those  
14 judgeships thereafter become vacant, and (iii) the additional  
15 resident judgeship of the 22nd circuit created by this  
16 amendatory Act of the 93rd General Assembly, for election from  
17 the various subcircuits until there is one resident judge to be  
18 elected from each subcircuit. No resident judge of the 22nd  
19 circuit serving on August 18, 2003 shall be required to change  
20 his or her residency in order to continue serving in office or  
21 to seek retention in office as resident judgeships are allotted  
22 by the Supreme Court in accordance with this Section.

23 (d) A resident judge elected from a subcircuit shall  
24 continue to reside in that subcircuit as long as he or she  
25 holds that office. A resident judge elected from a subcircuit  
26 after January 1, 2008, must retain residency as a registered

1 voter in the subcircuit to run for retention from the circuit  
2 at large thereafter.

3 (e) Vacancies in resident judgeships of the 22nd circuit  
4 shall be filled in the manner provided in Article VI of the  
5 Illinois Constitution.

6 (Source: P.A. 94-727, eff. 2-14-06; 95-610, eff. 9-11-07.)

7 (705 ILCS 35/2f-6)

8 Sec. 2f-6. 17th judicial circuit; subcircuits.

9 (a) The 17th circuit shall be divided into 4 subcircuits.  
10 The subcircuits shall be compact, contiguous, and  
11 substantially equal in population. The General Assembly by law  
12 shall create the subcircuits, using population data as  
13 determined by the 2000 federal census, and shall determine a  
14 numerical order for the 4 subcircuits. That numerical order  
15 shall be the basis for the order in which resident judgeships  
16 are assigned to the subcircuits. Once a resident judgeship is  
17 assigned to a subcircuit, it shall continue to be assigned to  
18 that subcircuit for all purposes.

19 (a-10) Of the 17th circuit's 9 ~~existing~~ circuit judgeships  
20 existing on April 7, 2005 (6 at large and 3 resident), but not  
21 including the one resident judgeship added by this amendatory  
22 Act of the 95th General Assembly, the 3 resident judgeships  
23 shall be allotted as 17th circuit resident judgeships under  
24 subsection (c) as those resident judgeships are or become  
25 vacant on or after the effective date of this amendatory Act of

1 the 93rd General Assembly. Of the 17th circuit's associate  
2 judgeships, the first associate judgeship that is or becomes  
3 vacant on or after the effective date of this amendatory Act of  
4 the 93rd General Assembly shall become a resident judgeship of  
5 the 17th circuit to be allotted by the Supreme Court under  
6 subsection (c) as a resident subcircuit judgeship. These  
7 resident judgeships, and the one resident judgeship added by  
8 this amendatory Act of the 95th General Assembly, shall  
9 constitute all of the resident judgeships of the 17th circuit.  
10 As used in this subsection, a vacancy does not include the  
11 expiration of a term of a resident judge who seeks retention in  
12 that office at the next term. A vacancy does not exist or occur  
13 at the expiration of an associate judge's term if the associate  
14 judge is reappointed.

15 (b) The 17th circuit shall have a total of 4 judgeships (3  
16 resident judgeships existing on April 7, 2005 and one associate  
17 judgeship), but not including the one resident judgeship added  
18 by this amendatory Act of the 95th General Assembly, available  
19 to be allotted to the 4 subcircuit resident judgeships.

20 (c) The Supreme Court shall allot (i) the 3 resident  
21 judgeships of the 17th circuit existing on April 7, 2005 as  
22 they are or become vacant as provided in subsection (a-10) and  
23 (ii) the one associate judgeship converted into a resident  
24 judgeship of the 17th circuit as it is or becomes vacant as  
25 provided in subsection (a-10), for election from the various  
26 subcircuits until there is one resident judge to be elected

1 from each subcircuit. No resident or associate judge of the  
2 17th circuit serving on the effective date of this amendatory  
3 Act of the 93rd General Assembly shall be required to change  
4 his or her residency in order to continue serving in office or  
5 to seek retention or reappointment in office as resident  
6 judgeships are allotted by the Supreme Court in accordance with  
7 this Section.

8 (d) A resident judge elected from a subcircuit shall  
9 continue to reside in that subcircuit as long as he or she  
10 holds that office. A resident judge elected from a subcircuit  
11 after January 1, 2008, must retain residency as a registered  
12 voter in the subcircuit to run for retention from the circuit  
13 at large thereafter.

14 (e) Vacancies in resident judgeships of the 17th circuit  
15 shall be filled in the manner provided in Article VI of the  
16 Illinois Constitution.

17 (Source: P.A. 95-610, eff. 9-11-07.)

18 (705 ILCS 35/2f-9)

19 Sec. 2f-9. 16th judicial circuit; subcircuits.

20 (a) The 16th circuit shall be divided into 5 subcircuits.  
21 The subcircuits shall be compact, contiguous, and  
22 substantially equal in population. The General Assembly by law  
23 shall create the subcircuits, using population data as  
24 determined by the 2000 federal census, and shall determine a  
25 numerical order for the 5 subcircuits. That numerical order



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

5 (b) Of the 16th circuit's 16 ~~existing~~ circuit judgeships  
6 existing on April 7, 2005 (7 at large and 9 resident), but not  
7 including the 2 resident judgeships added by this amendatory  
8 Act of the 95th General Assembly, 5 of the 9 resident  
9 judgeships shall be allotted as 16th circuit resident  
10 judgeships under subsection (c) as (i) the first resident  
11 judgeship of DeKalb County, (ii) the first resident judgeship  
12 of Kendall County, and (iii) the first 2 resident judgeships of  
13 Kane County are or become vacant on or after the effective date  
14 of this amendatory Act of the 93rd General Assembly, and (iv)  
15 the first resident judgeship of Kane County (in addition to the  
16 2 vacancies under item (iii)) is or becomes vacant after the  
17 effective date of this amendatory Act of the 94th General  
18 Assembly. These 5 resident subcircuit judgeships and the  
19 remaining 6 ~~4~~ resident judgeships shall constitute all of the  
20 resident judgeships of the 16th circuit. As used in this  
21 subsection, a vacancy does not include the expiration of a term  
22 of a resident judge who seeks retention in that office at the  
23 next term.

24 (c) The Supreme Court shall allot the first eligible DeKalb  
25 County vacancy, the first eligible Kendall County vacancy, and  
26 the first 3 Kane County vacancies in resident judgeships of the

1 16th circuit as provided in subsection (b), for election from  
2 the various subcircuits. The judgeships shall be assigned to  
3 the subcircuits based upon the numerical order of the 5  
4 subcircuits. No resident judge of the 16th circuit serving on  
5 the effective date of this amendatory Act of the 93rd General  
6 Assembly shall be required to change his or her residency in  
7 order to continue serving in office or to seek retention in  
8 office as judgeships are allotted by the Supreme Court in  
9 accordance with this Section.

10 (d) A resident judge elected from a subcircuit shall  
11 continue to reside in that subcircuit as long as he or she  
12 holds that office. A resident judge elected from a subcircuit  
13 after January 1, 2008, must retain residency as a registered  
14 voter in the subcircuit to run for retention from the circuit  
15 at large thereafter.

16 (e) Vacancies in resident judgeships of the 16th circuit  
17 shall be filled in the manner provided in Article VI of the  
18 Illinois Constitution.

19 (Source: P.A. 94-3, eff. 5-31-05; 95-610, eff. 9-11-07.)

20 (705 ILCS 35/2k new)

21 Sec. 2k. Additional 17th circuit resident judge. In  
22 addition to the number of circuit judges otherwise authorized  
23 by this Act, there shall be one additional judge elected in the  
24 17th judicial circuit who shall be a resident of and elected  
25 from Boone County. The additional resident circuit judgeship

1 created by this Section may be filled by appointment by the  
2 Illinois Supreme Court until the judgeship is filled by  
3 election beginning at the 2010 general election. The judgeship  
4 provided by this Section shall not be a subcircuit judgeship.

5 (705 ILCS 35/2k-1 new)

6 Sec. 2k-1. Additional 16th circuit resident judge; DeKalb  
7 County. In addition to the number of circuit judges otherwise  
8 authorized by this Act, there shall be one additional judge  
9 elected in the 16th judicial circuit who shall be a resident of  
10 and elected from DeKalb County. The additional resident circuit  
11 judgeship created by this Section may be filled by appointment  
12 by the Illinois Supreme Court until the judgeship is filled by  
13 election beginning at the 2010 general election. The judgeship  
14 provided by this Section shall not be a subcircuit judgeship.

15 (705 ILCS 35/2k-2 new)

16 Sec. 2k-2. Additional 16th circuit resident judge; Kendall  
17 County. In addition to the number of circuit judges otherwise  
18 authorized by this Act, there shall be one additional judge  
19 elected in the 16th judicial circuit who shall be a resident of  
20 and elected from Kendall County. The additional resident  
21 circuit judgeship created by this Section may be filled by  
22 appointment by the Illinois Supreme Court until the judgeship  
23 is filled by election beginning at the 2010 general election.  
24 The judgeship provided by this Section shall not be a

1 subcircuit judgeship.

2 (705 ILCS 35/2k-3 new)

3 Sec. 2k-3. Additional 13th circuit judge. In addition to  
4 the number of circuit judges otherwise authorized by this Act,  
5 there shall be one additional judge elected in the 13th  
6 judicial circuit who shall be a resident of and elected from  
7 Grundy County. The additional judgeship created by this Section  
8 may be filled by appointment by the Illinois Supreme Court  
9 until the judgeship is filled by election beginning at the 2010  
10 general election.

11 (705 ILCS 35/2k-4 new)

12 Sec. 2k-4. Additional 22nd circuit resident judge. In  
13 addition to the number of circuit judges otherwise authorized  
14 by this Act, there shall be one additional judge elected in the  
15 22nd judicial circuit who shall be a resident of and elected  
16 from McHenry County. The additional resident circuit judgeship  
17 created by this Section may be filled by appointment by the  
18 Illinois Supreme Court until the judgeship is filled by  
19 election beginning at the 2010 general election. The judgeship  
20 provided by this Section shall not be a subcircuit judgeship.

21 Section 10. The Associate Judges Act is amended by adding  
22 Section 2.2 as follows:

1 (705 ILCS 45/2.2 new)

2 Sec. 2.2. Additional associate judges; 3rd and 20th  
3 circuits. In addition to the number of associate judges  
4 authorized under Section 2 of this Act, there shall be one  
5 additional associate judge appointed in the 3rd circuit and one  
6 additional associate judge appointed in the 20th circuit.

7 Section 99. Effective date. This Act takes effect upon  
8 becoming law.".