



Rep. Tom Cross

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1 AMENDMENT TO SENATE BILL 997

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 997 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 2008, regardless  
5 of whether the judgeships for subcircuits 1 and 2 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.

26 (e) Vacancies in resident judgeships of the 19th circuit

1 shall be filled in the manner provided in Article VI of the  
2 Illinois Constitution.

3 (Source: P.A. 93-541, eff. 8-18-03; 93-1040, eff. 9-28-04;  
4 93-1102, eff. 4-7-05; 94-727, eff. 2-14-06.)

5 (705 ILCS 35/2f-5)

6 Sec. 2f-5. 22nd circuit; subcircuits; additional resident  
7 judgeship.

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

18 (b) Other than the resident judgeship added by this  
19 amendatory Act of the 95th General Assembly, the ~~The~~ 22nd  
20 circuit shall have one additional resident judgeship, as well  
21 as its 3 existing resident judgeships, for a total of 4  
22 resident judgeships to be allotted to the 4 subcircuit resident  
23 judgeships. The additional resident judgeship created by this  
24 amendatory Act of the 93rd General Assembly shall be filled by  
25 election beginning at the general election in 2006 and shall

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

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

21 (d) A resident judge elected from a subcircuit shall  
22 continue to reside in that subcircuit as long as he or she  
23 holds that office.

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

1 (Source: P.A. 93-541, eff. 8-18-03; 93-1040, eff. 9-28-04;  
2 93-1102, eff. 4-7-05; 94-727, eff. 2-14-06.)

3 (705 ILCS 35/2f-6)

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

5 (a) The 17th circuit shall be divided into 4 subcircuits.

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

15 (a-10) Of the 17th circuit's 9 ~~existing~~ circuit judgeships  
16 existing on April 7, 2005 (6 at large and 3 resident), but not  
17 including the one resident judgeship added by this amendatory  
18 Act of the 95th General Assembly, the 3 resident judgeships  
19 shall be allotted as 17th circuit resident judgeships under  
20 subsection (c) as those resident judgeships are or become  
21 vacant on or after the effective date of this amendatory Act of  
22 the 93rd General Assembly. Of the 17th circuit's associate  
23 judgeships, the first associate judgeship that is or becomes  
24 vacant on or after the effective date of this amendatory Act of  
25 the 93rd General Assembly shall become a resident judgeship of

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

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

16 (c) The Supreme Court shall allot (i) the 3 resident  
17 judgeships of the 17th circuit existing on April 7, 2005 as  
18 they are or become vacant as provided in subsection (a-10) and  
19 (ii) the one associate judgeship converted into a resident  
20 judgeship of the 17th circuit as it is or becomes vacant as  
21 provided in subsection (a-10), for election from the various  
22 subcircuits until there is one resident judge to be elected  
23 from each subcircuit. No resident or associate judge of the  
24 17th circuit serving on the effective date of this amendatory  
25 Act of the 93rd General Assembly shall be required to change  
26 his or her residency in order to continue serving in office or

1 to seek retention or reappointment in office as resident  
2 judgeships are allotted by the Supreme Court in accordance with  
3 this Section.

4 (d) A resident judge elected from a subcircuit shall  
5 continue to reside in that subcircuit as long as he or she  
6 holds that office.

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

10 (Source: P.A. 93-1102, eff. 4-7-05.)

11 (705 ILCS 35/2f-9)

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

13 (a) The 16th circuit shall be divided into 5 subcircuits.  
14 The subcircuits shall be compact, contiguous, and  
15 substantially equal in population. The General Assembly by law  
16 shall create the subcircuits, using population data as  
17 determined by the 2000 federal census, and shall determine a  
18 numerical order for the 5 subcircuits. That numerical order  
19 shall be the basis for the order in which resident judgeships  
20 are assigned to the subcircuits. Once a resident judgeship is  
21 assigned to a subcircuit, it shall continue to be assigned to  
22 that subcircuit for all purposes.

23 (b) Of the 16th circuit's 16 ~~existing~~ circuit judgeships  
24 existing on April 7, 2005 (7 at large and 9 resident), but not  
25 including the 2 resident judgeships added by this amendatory



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

17 (c) The Supreme Court shall allot the first eligible DeKalb  
18 County vacancy, the first eligible Kendall County vacancy, and  
19 the first 3 Kane County vacancies in resident judgeships of the  
20 16th circuit as provided in subsection (b), for election from  
21 the various subcircuits. The judgeships shall be assigned to  
22 the subcircuits based upon the numerical order of the 5  
23 subcircuits. No resident judge of the 16th circuit serving on  
24 the effective date of this amendatory Act of the 93rd General  
25 Assembly shall be required to change his or her residency in  
26 order to continue serving in office or to seek retention in

1 office as judgeships are allotted by the Supreme Court in  
2 accordance with this Section.

3 (d) A resident judge elected from a subcircuit shall  
4 continue to reside in that subcircuit as long as he or she  
5 holds that office.

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

9 (Source: P.A. 93-1102, eff. 4-7-05; 94-3, eff. 5-31-05.)

10 (705 ILCS 35/2k new)

11 Sec. 2k. Additional 17th circuit resident judge. In  
12 addition to the number of circuit judges otherwise authorized  
13 by this Act, there shall be one additional judge elected in the  
14 17th judicial circuit who shall be a resident of and elected  
15 from Boone County. The additional resident circuit judgeship  
16 created by this Section may be filled by appointment by the  
17 Illinois Supreme Court until the judgeship is filled by  
18 election beginning at the 2008 general election. The judgeship  
19 provided by this Section shall not be a subcircuit judgeship.

20 (705 ILCS 35/2k-1 new)

21 Sec. 2k-1. Additional 16th circuit resident judge; DeKalb  
22 County. In addition to the number of circuit judges otherwise  
23 authorized by this Act, there shall be one additional judge  
24 elected in the 16th judicial circuit who shall be a resident of

1 and elected from DeKalb County. The additional resident circuit  
2 judgeship created by this Section may be filled by appointment  
3 by the Illinois Supreme Court until the judgeship is filled by  
4 election beginning at the 2008 general election. The judgeship  
5 provided by this Section shall not be a subcircuit judgeship.

6 (705 ILCS 35/2k-2 new)

7 Sec. 2k-2. Additional 16th circuit resident judge; Kendall  
8 County. In addition to the number of circuit judges otherwise  
9 authorized by this Act, there shall be one additional judge  
10 elected in the 16th judicial circuit who shall be a resident of  
11 and elected from Kendall County. The additional resident  
12 circuit judgeship created by this Section may be filled by  
13 appointment by the Illinois Supreme Court until the judgeship  
14 is filled by election beginning at the 2008 general election.  
15 The judgeship provided by this Section shall not be a  
16 subcircuit judgeship.

17 (705 ILCS 35/2k-3 new)

18 Sec. 2k-3. Additional 13th circuit judge. In addition to  
19 the number of circuit judges otherwise authorized by this Act,  
20 there shall be one additional judge elected in the 13th  
21 judicial circuit who shall be a resident of and elected from  
22 Grundy County. The additional judgeship created by this Section  
23 may be filled by appointment by the Illinois Supreme Court  
24 until the judgeship is filled by election beginning at the 2008

1 general election.

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

3 Sec. 2k-4. Additional 22nd circuit resident judge. In  
4 addition to the number of circuit judges otherwise authorized  
5 by this Act, there shall be one additional judge elected in the  
6 22nd judicial circuit who shall be a resident of and elected  
7 from McHenry County. The additional resident circuit judgeship  
8 created by this Section may be filled by appointment by the  
9 Illinois Supreme Court until the judgeship is filled by  
10 election beginning at the 2008 general election. The judgeship  
11 provided by this Section shall not be a subcircuit judgeship.

12 Section 10. The Associate Judges Act is amended by adding  
13 Section 2.2 as follows:

14 (705 ILCS 45/2.2 new)

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

20 Section 99. Effective date. This Act takes effect upon  
21 becoming law."