



Rep. Frank J. Mautino

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LRB096 11228 WGH 27505 a

1 AMENDMENT TO SENATE BILL 1938

2 AMENDMENT NO. _____. Amend Senate Bill 1938, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Circuit Courts Act is amended by changing
6 Sections 2, 2f-1, 2f-2, 2f-4, 2f-5, 2f-6, and 2f-9 and by
7 adding Sections 2k, 2m, 2n, 2p, 2q, and 2r as follows:

8 (705 ILCS 35/2) (from Ch. 37, par. 72.2)

9 Sec. 2. Circuit judges shall be elected at the general
10 elections and for terms as provided in Article VI of the
11 Illinois Constitution. Ninety-four circuit judges shall be
12 elected in the Circuit of Cook County and 3 circuit judges
13 shall be elected in each of the other circuits, but in circuits
14 other than Cook County containing a population of 230,000 or
15 more inhabitants and in which there is included a county
16 containing a population of 200,000 or more inhabitants, or in

1 circuits other than Cook County containing a population of
2 270,000 or more inhabitants, according to the last preceding
3 federal census and in the circuit where the seat of State
4 government is situated at the time fixed by law for the
5 nomination of judges of the Circuit Court in such circuit and
6 in any circuit which meets the requirements set out in Section
7 2a of this Act, 4 circuit judges shall be elected in the manner
8 provided by law. In circuits other than Cook County in which
9 each county in the circuit has a population of 475,000 or more,
10 4 circuit judges shall be elected in addition to the 4 circuit
11 judges provided for in this Section. In any circuit composed of
12 2 counties having a total population of 350,000 or more, one
13 circuit judge shall be elected in addition to the 4 circuit
14 judges provided for in this Section.

15 Any additional circuit judgeships in the 19th and 22nd
16 judicial circuits resulting by operation of this Section shall
17 be filled, if at all, at the general election in 2006 only as
18 provided in Section 2f-1. Thereafter, however, this Section
19 shall not apply to the determination of the number of circuit
20 judgeships in the 19th and 22nd judicial circuits. The number
21 of circuit judgeships in the 19th judicial circuit shall be
22 determined thereafter in accordance with Section 2f-1 and
23 Section 2f-2 and shall be reduced in accordance with those
24 Sections. The number of circuit judgeships in the 22nd judicial
25 circuit shall be determined thereafter in accordance with
26 Section 2f-1 and Section 2f-5 and shall be reduced in

1 accordance with those Sections.

2 Notwithstanding the provisions of this Section or any other
3 law, the number of at large judgeships of the 12th judicial
4 circuit may be reduced ~~by one or 2 judgeships~~ as provided in
5 subsections ~~subsection~~ (a-10) and (a-15) of Section 2f-4.

6 The several judges of the circuit courts of this State,
7 before entering upon the duties of their office, shall take and
8 subscribe the following oath or affirmation, which shall be
9 filed in the office of the Secretary of State:

10 "I do solemnly swear (or affirm, as the case may be) that I
11 will support the constitution of the United States, and the
12 constitution of the State of Illinois, and that I will
13 faithfully discharge the duties of judge of.... court,
14 according to the best of my ability."

15 One of the 3 additional circuit judgeships authorized by
16 this amendatory Act in circuits other than Cook County in which
17 each county in the circuit has a population of 475,000 or more
18 may be filled when this Act becomes law. The 2 remaining
19 circuit judgeships in such circuits shall not be filled until
20 on or after July 1, 1977.

21 (Source: P.A. 93-541, eff. 8-18-03; 94-727, eff. 2-14-06.)

22 (705 ILCS 35/2f-1)

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

24 (a) On December 4, 2006, the 19th judicial circuit is
25 divided into the 19th and 22nd judicial circuits as provided in

1 Section 1 of the Circuit Courts Act. This division does not
2 invalidate any action taken by the 19th judicial circuit or any
3 of its judges, officers, employees, or agents before December
4 4, 2006. This division does not affect any person's rights,
5 obligations, or duties, including applicable civil and
6 criminal penalties, arising out of any action taken by the 19th
7 judicial circuit or any of its judges, officers, employees, or
8 agents before December 4, 2006.

9 (b) Of the 7 circuit judgeships elected at large in the
10 19th circuit before the general election in 2006, the Supreme
11 Court shall assign 5 to the 19th circuit and 2 to the 22nd
12 circuit, based on residency of the circuit judges then holding
13 those judgeships. The 5 assigned to the 19th circuit shall
14 continue to be elected at large, except those at large
15 judgeships that become resident judgeships as provided in
16 subsection (a-5) of Section 2f-2. The 2 assigned to the 22nd
17 circuit shall continue to be elected at large.

18 (b-5) Except as provided in subsection (b-10), the number
19 of at large judgeships of the 19th judicial circuit shall be
20 the number of at large judgeships specified for ~~assigned to~~ the
21 19th judicial circuit pursuant to subsection (b) plus only the
22 judgeship designated as vacancy A by the State Board of
23 Elections filled at the 2006 general election. If, before, on,
24 or after the effective date of this amendatory Act of the 94th
25 General Assembly, the State Board of Elections has certified or
26 certifies one or more candidates for a judgeship of the 19th

1 judicial circuit designated as vacancy B or C by the State
2 Board of Elections, then all such certifications are revoked
3 and are null and void by operation of law and the names of any
4 such candidates shall not appear upon the 2006 general primary
5 ballot or the 2006 general election ballot for any of those
6 judgeships. Except as provided in subsection (b-10), the number
7 of at large judgeships of the 22nd judicial circuit shall be
8 the number of at large judgeships assigned to the 22nd judicial
9 circuit pursuant to subsection (b) plus only the judgeship
10 designated as vacancy A by the State Board of Elections filled
11 at the 2006 general election. If, before, on, or after the
12 effective date of this amendatory Act of the 94th General
13 Assembly, the State Board of Elections has certified or
14 certifies one or more candidates for the judgeship of the 22nd
15 judicial circuit designated as vacancy B by the State Board of
16 Elections, then any such certifications are revoked and are
17 null and void by operation of law and the names of any such
18 candidates shall not appear upon the 2006 general primary
19 ballot or the 2006 general election ballot for that judgeship.

20 (b-10) If this amendatory Act of the 94th General Assembly
21 is held unconstitutional and as a result the judgeships
22 designated by the State Board of Elections as vacancies A, B,
23 and C of the 19th judicial circuit are filled at the 2006
24 general election, then the number of at large judgeships of the
25 19th judicial circuit shall be only the number of at large
26 judgeships specified for ~~assigned to~~ the 19th judicial circuit

1 pursuant to subsection (b). If this amendatory Act of the 94th
2 General Assembly is held unconstitutional and as a result the
3 judgeships designated by the State Board of Elections as
4 vacancies A and B of the 22nd judicial circuit are filled at
5 the 2006 general election, then the number of at large
6 judgeships of the 22nd judicial circuit shall be only the
7 number of at large judgeships assigned to the 22nd judicial
8 circuit pursuant to subsection (b).

9 (b-15) If subsection (b-10) applies, then each vacancy
10 occurring in an at large judgeship of the 19th judicial circuit
11 on or after the holding of unconstitutionality shall not be
12 filled by any means and each of those vacant judgeships is
13 abolished, until the number of at large judgeships of the 19th
14 judicial circuit returns to the number of at large judgeships
15 specified for the 19th judicial circuit by subsection (b-10).
16 If subsection (b-10) applies, then each vacancy occurring in an
17 at large judgeship of the 22nd judicial circuit on or after the
18 holding of unconstitutionality shall not be filled by any means
19 and each of those vacant judgeships is abolished, until the
20 number of at large judgeships of the 22nd judicial circuit
21 returns to the number of at large judgeships specified for the
22 22nd judicial circuit by subsection (b-10).

23 (c) The 6 resident judgeships elected from Lake County
24 before the general election in 2006 shall become resident
25 judgeships in the 19th circuit on December 4, 2006, and the 3
26 resident judgeships elected from McHenry County before the

1 general election in 2006 shall become resident judgeships in
2 the 22nd circuit on December 4, 2006.

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

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

18 (f) The judgeships set forth in this Section include the
19 judgeships authorized under Sections 2g, 2h, and 2j. The
20 judgeships authorized in those Sections are not in addition to
21 those set forth in this Section.

22 (Source: P.A. 93-541, eff. 8-18-03; 93-1040, eff. 9-28-04;
23 94-727, eff. 2-14-06.)

24 (705 ILCS 35/2f-2)

25 Sec. 2f-2. 19th judicial circuit; subcircuits; additional

1 judges.

2 (a) The 19th circuit shall be divided into 6 subcircuits.
3 The subcircuits shall be compact, contiguous, and
4 substantially equal in population. The General Assembly by law
5 shall create the subcircuits, using population data as
6 determined by the 2000 federal census, and shall determine a
7 numerical order for the 6 subcircuits. That numerical order
8 shall be the basis for the order in which resident judgeships
9 are assigned to the subcircuits. The 6 resident judgeships to
10 be assigned that are not added by or converted from at large
11 judgeships as provided in this amendatory Act of the 96th
12 General Assembly shall be assigned to the 1st, 2nd, 3rd, 4th,
13 5th, and 6th subcircuits, in that order. The 6 resident
14 judgeships to be assigned that are added by or converted from
15 at large judgeships as provided in this amendatory Act of the
16 96th General Assembly shall be assigned to the 6th, 5th, 4th,
17 3rd, 2nd, and 1st subcircuits, in that order. Once a resident
18 judgeship is assigned to a subcircuit, it shall continue to be
19 assigned to that subcircuit for all purposes.

20 (a-5) Of the at large judgeships of the 19th judicial
21 circuit, the first 3 that are or become vacant on or after the
22 effective date of this amendatory Act of the 96th General
23 Assembly shall become resident judgeships of the 19th judicial
24 circuit to be allotted by the Supreme Court under subsection
25 (c) and filled by election, except that the Supreme Court may
26 fill those judgeships by appointment for any remainder of a

1 vacated term until the resident judgeships are filled initially
2 by election. As used in this subsection, a vacancy does not
3 include the expiration of a term of an at large judge who seeks
4 retention in that office at the next term.

5 (a-10) The 19th judicial circuit shall have 3 additional
6 resident judgeships to be allotted by the Supreme Court under
7 subsection (c). One of the additional resident judgeships shall
8 be filled by election beginning at the 2010 general election.
9 Two of the additional resident judgeships shall be filled by
10 election beginning at the 2012 general election.

11 (b) The 19th circuit shall have a total of 12 ~~6~~ resident
12 judgeships (6 resident judgeships existing on the effective
13 date of this amendatory Act of the 96th General Assembly, 3
14 formerly at large judgeships as provided in subsection (a-5),
15 and 3 resident judgeships added by subsection (a-10)). The
16 number of resident judgeships allotted to subcircuits of the
17 19th judicial circuit pursuant to this Section shall constitute
18 all the resident judgeships of the 19th judicial circuit.

19 (c) The Supreme Court shall allot (i) all vacancies in
20 resident judgeships of the 19th circuit existing on or
21 occurring on or after the effective date of this amendatory Act
22 of the 93rd General Assembly and not filled at the 2004 general
23 election, ~~and~~ (ii) the resident judgeships of the 19th circuit
24 filled at the 2004 general election as those judgeships
25 thereafter become vacant, (iii) the 3 formerly at large
26 judgeships described in subsection (a-5) as they become

1 available, and (iv) the 3 resident judgeships added by
2 subsection (a-10), for election from the various subcircuits
3 until there are 2 resident judges ~~is one resident judge~~ to be
4 elected from each subcircuit. No resident judge of the 19th
5 circuit serving on the effective date of this amendatory Act of
6 the 93rd General Assembly shall be required to change his or
7 her residency in order to continue serving in office or to seek
8 retention in office as resident judgeships are allotted by the
9 Supreme Court in 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 19th circuit
17 shall be filled in the manner provided in Article VI of the
18 Illinois Constitution.

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

20 (705 ILCS 35/2f-4)

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

22 (a) The 12th circuit shall be divided into 5 subcircuits.
23 The subcircuits shall be compact, contiguous, and
24 substantially equal in population. The General Assembly by law
25 shall create the subcircuits, using population data as

1 determined by the 2000 federal census, and shall determine a
2 numerical order for the 5 subcircuits. That numerical order
3 shall be the basis for the order in which resident judgeships
4 are assigned to the subcircuits. The 5 resident judgeships to
5 be assigned after the effective date of this amendatory Act of
6 the 96th General Assembly shall be assigned to the 3rd, 4th,
7 5th, 1st, and 2nd subcircuits, in that order. Once a resident
8 judgeship is assigned to a subcircuit, it shall continue to be
9 assigned to that subcircuit for all purposes.

10 (a-10) The first vacancy in the 12th judicial circuit's 10
11 existing circuit judgeships (8 at large and 2 resident), but
12 not in the additional judgeships described in subsections (b)
13 and (b-5), that exists on or after the effective date of this
14 amendatory Act of the 94th General Assembly shall not be
15 filled, by appointment or election, and that judgeship is
16 eliminated. Of the 12th judicial circuit's 10 existing circuit
17 judgeships (8 at large and 2 resident), but not the additional
18 judgeships described in subsections (b) and (b-5), the second
19 to be vacant or become vacant on or after the effective date of
20 this amendatory Act of the 94th General Assembly shall be
21 allotted as a 12th circuit resident judgeship under subsection
22 (c).

23 (a-15) Of the at large judgeships of the 12th judicial
24 circuit not affected by subsection (a-10), the first 2 that are
25 or become vacant on or after the effective date of this
26 amendatory Act of the 96th General Assembly shall become

1 resident judgeships of the 12th judicial circuit to be allotted
2 by the Supreme Court under subsection (c) and filled by
3 election, except that the Supreme Court may fill those
4 judgeships by appointment for any remainder of a vacated term
5 until the resident judgeships are filled initially by election.

6 (a-20) As used in subsections (a-10) and (a-15) ~~this~~
7 ~~subsection~~, a vacancy does not include the expiration of a term
8 of an at large or resident judge who seeks retention in that
9 office at the next term.

10 (b) The 12th circuit shall have 6 ~~3~~ additional resident
11 judgeships, as well as its existing resident judgeship as
12 established in subsection (a-10) ~~or judgeships~~, and existing at
13 large judgeships, for a total of 15 ~~12~~ judgeships available to
14 be allotted under subsection (c) to the 10 ~~5~~ subcircuit
15 resident judgeships. The additional resident judgeship created
16 by Public Act 93-541 shall be filled by election beginning at
17 the general election in 2006. The 2 additional resident
18 judgeships created by this amendatory Act of 2004 shall be
19 filled by election beginning at the general election in 2008.
20 The additional resident judgeships created by this amendatory
21 Act of the 96th General Assembly shall be filled by election
22 beginning at the general election in 2010. After the
23 subcircuits are created by law, the Supreme Court may fill by
24 appointment the additional resident judgeships created by
25 Public Act 93-541, ~~and~~ this amendatory Act of 2004, ~~and this~~
26 amendatory Act of the 96th General Assembly until the 2006, ~~or~~

1 2008, or 2010 general election, as the case may be.

2 (b-5) In addition to the number of circuit judges and
3 resident judges otherwise authorized by law, and
4 notwithstanding any other provision of law, beginning on April
5 1, 2006 there shall be one additional resident judge who is a
6 resident of and elected from the fourth judicial subcircuit of
7 the 12th judicial circuit. That additional resident judgeship
8 may be filled by appointment by the Supreme Court until filled
9 by election at the general election in 2008, regardless of
10 whether the judgeships for subcircuits 1, 2, and 3 have been
11 filled.

12 (c) The Supreme Court shall allot (i) the additional
13 resident judgeships of the 12th circuit created by Public Act
14 93-541, ~~and~~ this amendatory Act of 2004, and this amendatory
15 Act of the 96th General Assembly, ~~and~~ (ii) the second vacancy
16 in the at large and resident judgeships of the 12th circuit as
17 provided in subsection (a-10), and (iii) the 2 formerly at
18 large judgeships described in subsection (a-15) as they become
19 available, for election from the various subcircuits until,
20 with the additional judge of the fourth subcircuit described in
21 subsection (b-5), there are 2 ~~is one~~ resident judges ~~judge~~ to
22 be elected from each subcircuit. No at large or resident judge
23 of the 12th circuit serving on August 18, 2003 shall be
24 required to change his or her residency in order to continue
25 serving in office or to seek retention in office as at large or
26 resident judgeships are allotted by the Supreme Court in

1 accordance with this Section.

2 (d) A resident judge elected from a subcircuit shall
3 continue to reside in that subcircuit as long as he or she
4 holds that office. A resident judge elected from a subcircuit
5 after January 1, 2008, must retain residency as a registered
6 voter in the subcircuit to run for retention from the circuit
7 at large thereafter.

8 (e) Vacancies in resident judgeships of the 12th circuit
9 shall be filled in the manner provided in Article VI of the
10 Illinois Constitution, except as otherwise provided in this
11 Section.

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

13 (705 ILCS 35/2f-5)

14 Sec. 2f-5. 22nd circuit; subcircuits; additional resident
15 judgeship.

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

1 (b) Other than the resident judgeship added by this
2 amendatory Act of the 96th General Assembly, the ~~The~~ 22nd
3 circuit shall have one additional resident judgeship, as well
4 as its 3 existing resident judgeships, for a total of 4
5 resident judgeships to be allotted to the 4 subcircuit resident
6 judgeships. The additional resident judgeship created by this
7 amendatory Act of the 93rd General Assembly shall be filled by
8 election beginning at the general election in 2006 and shall
9 not be filled by appointment before the general election in
10 2006. The number of resident judgeships allotted to subcircuits
11 of the 22nd judicial circuit pursuant to this Section, and the
12 resident judgeship added by this amendatory Act of the 96th
13 General Assembly, shall constitute all the resident judgeships
14 of the 22nd judicial circuit.

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

1 to seek retention in office as resident judgeships are allotted
2 by the Supreme Court in 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. A resident judge elected from a subcircuit
6 after January 1, 2008, must retain residency as a registered
7 voter in the subcircuit to run for retention from the circuit
8 at large thereafter.

9 (e) Vacancies in resident judgeships of the 22nd circuit
10 shall be filled in the manner provided in Article VI of the
11 Illinois Constitution.

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

13 (705 ILCS 35/2f-6)

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

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

25 (a-10) Of the 17th circuit's 9 ~~existing~~ circuit judgeships

1 existing on April 7, 2005 (6 at large and 3 resident), but not
2 including the one resident judgeship added by this amendatory
3 Act of the 96th General Assembly, the 3 resident judgeships
4 shall be allotted as 17th circuit resident judgeships under
5 subsection (c) as those resident judgeships are or become
6 vacant on or after the effective date of this amendatory Act of
7 the 93rd General Assembly. Of the 17th circuit's associate
8 judgeships, the first associate judgeship that is or becomes
9 vacant on or after the effective date of this amendatory Act of
10 the 93rd General Assembly shall become a resident judgeship of
11 the 17th circuit to be allotted by the Supreme Court under
12 subsection (c) as a resident subcircuit judgeship. These
13 resident judgeships, and the one resident judgeship added by
14 this amendatory Act of the 96th General Assembly, shall
15 constitute all of the resident judgeships of the 17th circuit.
16 As used in this subsection, a vacancy does not include the
17 expiration of a term of a resident judge who seeks retention in
18 that office at the next term. A vacancy does not exist or occur
19 at the expiration of an associate judge's term if the associate
20 judge is reappointed.

21 (b) The 17th circuit shall have a total of 4 judgeships (3
22 resident judgeships existing on April 7, 2005 and one associate
23 judgeship), but not including the one resident judgeship added
24 by this amendatory Act of the 96th General Assembly, available
25 to be allotted to the 4 subcircuit resident judgeships.

26 (c) The Supreme Court shall allot (i) the 3 resident

1 judgeships of the 17th circuit existing on April 7, 2005 as
2 they are or become vacant as provided in subsection (a-10) and
3 (ii) the one associate judgeship converted into a resident
4 judgeship of the 17th circuit as it is or becomes vacant as
5 provided in subsection (a-10), for election from the various
6 subcircuits until there is one resident judge to be elected
7 from each subcircuit. No resident or associate judge of the
8 17th circuit serving on the effective date of this amendatory
9 Act of the 93rd General Assembly shall be required to change
10 his or her residency in order to continue serving in office or
11 to seek retention or reappointment in office as resident
12 judgeships are allotted by the Supreme Court in accordance with
13 this Section.

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

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

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

24 (705 ILCS 35/2f-9)

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

1 (a) The 16th circuit shall be divided into 5 subcircuits.
2 The subcircuits shall be compact, contiguous, and
3 substantially equal in population. The General Assembly by law
4 shall create the subcircuits, using population data as
5 determined by the 2000 federal census, and shall determine a
6 numerical order for the 5 subcircuits. That numerical order
7 shall be the basis for the order in which resident judgeships
8 are assigned to the subcircuits. Once a resident judgeship is
9 assigned to a subcircuit, it shall continue to be assigned to
10 that subcircuit for all purposes.

11 (b) Of the 16th circuit's 16 ~~existing~~ circuit judgeships
12 existing on April 7, 2005 (7 at large and 9 resident), but not
13 including the 3 resident judgeships added by this amendatory
14 Act of the 96th General Assembly, 5 of the 9 resident
15 judgeships shall be allotted as 16th circuit resident
16 judgeships under subsection (c) as (i) the first resident
17 judgeship of DeKalb County, (ii) the first resident judgeship
18 of Kendall County, and (iii) the first 2 resident judgeships of
19 Kane County are or become vacant on or after the effective date
20 of this amendatory Act of the 93rd General Assembly, and (iv)
21 the first resident judgeship of Kane County (in addition to the
22 2 vacancies under item (iii)) is or becomes vacant after the
23 effective date of this amendatory Act of the 94th General
24 Assembly. These 5 resident subcircuit judgeships and the
25 remaining 6 ~~4~~ resident judgeships shall constitute all of the
26 resident judgeships of the 16th circuit. As used in this

1 subsection, a vacancy does not include the expiration of a term
2 of a resident judge who seeks retention in that office at the
3 next term.

4 (c) The Supreme Court shall allot the first eligible DeKalb
5 County vacancy, the first eligible Kendall County vacancy, and
6 the first 3 Kane County vacancies in resident judgeships of the
7 16th circuit as provided in subsection (b), for election from
8 the various subcircuits. The judgeships shall be assigned to
9 the subcircuits based upon the numerical order of the 5
10 subcircuits. No resident judge of the 16th circuit serving on
11 the effective date of this amendatory Act of the 93rd General
12 Assembly shall be required to change his or her residency in
13 order to continue serving in office or to seek retention in
14 office as judgeships are allotted by the Supreme Court in
15 accordance with this Section.

16 (d) A resident judge elected from a subcircuit shall
17 continue to reside in that subcircuit as long as he or she
18 holds that office. A resident judge elected from a subcircuit
19 after January 1, 2008, must retain residency as a registered
20 voter in the subcircuit to run for retention from the circuit
21 at large thereafter.

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

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

1 (705 ILCS 35/2k new)

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

11 (705 ILCS 35/2m new)

12 Sec. 2m. Additional 16th circuit resident judge; DeKalb
13 County. In addition to the number of circuit judges otherwise
14 authorized by this Act, there shall be one additional judge
15 elected in the 16th judicial circuit who shall be a resident of
16 and elected from DeKalb County. The additional resident circuit
17 judgeship created by this Section may be filled by appointment
18 by the 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 (705 ILCS 35/2n new)

22 Sec. 2n. Additional 16th circuit resident judge; Kendall
23 County. In addition to the number of circuit judges otherwise
24 authorized by this Act, there shall be one additional judge

1 elected in the 16th judicial circuit who shall be a resident of
2 and elected from Kendall County. The additional resident
3 circuit judgeship created by this Section may be filled by
4 appointment by the Illinois Supreme Court until the judgeship
5 is filled by election beginning at the 2010 general election.
6 The judgeship provided by this Section shall not be a
7 subcircuit judgeship.

8 (705 ILCS 35/2p new)

9 Sec. 2p. Additional 13th circuit resident judge; Grundy
10 County. In addition to the number of circuit judges otherwise
11 authorized by this Act, there shall be one additional circuit
12 judge in the 13th circuit who shall be a resident of and
13 elected from Grundy County. The judgeship shall be filled by
14 appointment until it is filled by election at the general
15 election in November of 2010.

16 (705 ILCS 35/2q new)

17 Sec. 2q. Additional 17th circuit resident judge; Boone
18 County. In addition to the number of circuit judges otherwise
19 authorized by this Act, there shall be one additional judge
20 elected in the 17th judicial circuit who shall be a resident of
21 and elected from Boone County. The additional resident circuit
22 judgeship created by this Section may be filled by appointment
23 by the Illinois Supreme Court until the judgeship is filled by
24 election beginning at the 2010 general election. The judgeship

1 provided by this Section shall not be a subcircuit judgeship. A
2 resident judge elected from Boone County under this Section
3 must continue to reside in Boone County as long as he or she
4 holds that office.

5 (705 ILCS 35/2r new)

6 Sec. 2r. Additional 22nd circuit resident judge. In
7 addition to the number of circuit judges otherwise authorized
8 by this Act, there shall be one additional judge elected in the
9 22nd judicial circuit. The additional resident circuit
10 judgeship created by this Section may be filled by appointment
11 by the Illinois Supreme Court until the judgeship is filled by
12 election beginning at the 2010 general election. The judgeship
13 provided by this Section shall not be a subcircuit judgeship.

14 Section 10. The Associate Judges Act is amended by adding
15 Sections 2.2, 2.3, 2.4, and 2.5 as follows:

16 (705 ILCS 45/2.2 new)

17 Sec. 2.2. Additional associate judge; 16th circuit. In
18 addition to the number of associate judges authorized under
19 Sections 2 and 2.1 of this Act, there shall be one additional
20 associate judge appointed in the 16th circuit.

21 (705 ILCS 45/2.3 new)

22 Sec. 2.3. Additional associate judge; 17th circuit. In

1 addition to the number of associate judges authorized under
2 Sections 2 and 2.1 of this Act, there shall be one additional
3 associate judge appointed in the 17th circuit.

4 (705 ILCS 45/2.4 new)

5 Sec. 2.4. Additional associate judges; 18th circuit. In
6 addition to the number of associate judges authorized under
7 Sections 2 and 2.1 of this Act, there shall be 2 additional
8 associate judges appointed in the 18th circuit.

9 (705 ILCS 45/2.5 new)

10 Sec. 2.5. Additional associate judge; 13th circuit. In
11 addition to the number of associate judges authorized under
12 Sections 2 and 2.1 of this Act, there shall be one additional
13 associate judge appointed in the 13th circuit.

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.".