



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB4991

Introduced 2/6/2012, by Rep. Tom Cross

SYNOPSIS AS INTRODUCED:

705 ILCS 35/2
705 ILCS 35/2a

from Ch. 37, par. 72.2
from Ch. 37, par. 72.2a

Amends the Circuit Courts Act. Provides that in the 23rd judicial circuit, there shall be no at large circuit judgeships and only resident circuit judges shall be elected as provided in the Act. Adds the 23rd judicial circuit as an exception, along with Cook County, to the provision that provides that 4 circuit judges shall be elected in any circuit in which there is situated any State institution providing educational or welfare facilities for more than 25,000 persons. Makes other changes. Effective immediately.

LRB097 13402 AJO 58458 b

1 AN ACT concerning civil law.

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

4 Section 5. The Circuit Courts Act is amended by changing
5 Sections 2 and 2a as follows:

6 (705 ILCS 35/2) (from Ch. 37, par. 72.2)

7 Sec. 2. Circuit judges shall be elected at the general
8 elections and for terms as provided in Article VI of the
9 Illinois Constitution. Ninety-four circuit judges shall be
10 elected in the Circuit of Cook County and 3 circuit judges
11 shall be elected in each of the other circuits except as
12 provided in this Section. ~~but in~~ In circuits other than Cook
13 County containing a population of 230,000 or more inhabitants
14 and in which there is included a county containing a population
15 of 200,000 or more inhabitants, or in circuits other than Cook
16 County containing a population of 270,000 or more inhabitants,
17 according to the last preceding federal census and in the
18 circuit where the seat of State government is situated at the
19 time fixed by law for the nomination of judges of the Circuit
20 Court in such circuit and in any circuit which meets the
21 requirements set out in Section 2a of this Act, 4 circuit
22 judges shall be elected in the manner provided by law. In
23 circuits other than Cook County in which each county in the

1 circuit has a population of 475,000 or more, 4 circuit judges
2 shall be elected in addition to the 4 circuit judges provided
3 for in this Section. In any circuit composed of 2 counties
4 having a total population of 350,000 or more, one circuit judge
5 shall be elected in addition to the 4 circuit judges provided
6 for in this Section.

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

20 Notwithstanding the provisions of this Section or any other
21 law, the number of at large judgeships of the 12th judicial
22 circuit may be reduced as provided in subsections (a-10) and
23 (a-15) of Section 2f-4.

24 In the 23rd judicial circuit, there shall be no at large
25 circuit judgeships and only resident circuit judges shall be
26 elected as provided in Sections 2f-10 and 2f-11.

1 The several judges of the circuit courts of this State,
2 before entering upon the duties of their office, shall take and
3 subscribe the following oath or affirmation, which shall be
4 filed in the office of the Secretary of State:

5 "I do solemnly swear (or affirm, as the case may be) that I
6 will support the constitution of the United States, and the
7 constitution of the State of Illinois, and that I will
8 faithfully discharge the duties of judge of.... court,
9 according to the best of my ability."

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

16 (Source: P.A. 96-108, eff. 7-30-09.)

17 (705 ILCS 35/2a) (from Ch. 37, par. 72.2a)

18 Sec. 2a. In any circuit, other than Cook County and the
19 23rd circuit, in which is situated any State institution
20 providing educational or welfare facilities for more than
21 25,000 persons, 4 circuit judges shall be elected unless that
22 circuit is entitled to a greater number under Section 2.

23 (Source: P.A. 76-2067.)

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