

1 AN ACT concerning courts.

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

4 Section 5. The Jury Act is amended by changing Section 2 as  
5 follows:

6 (705 ILCS 305/2) (from Ch. 78, par. 2)

7 Sec. 2. At the September meeting of the county board in  
8 each year in the respective counties in this State, except  
9 those that have jury commissioners, the board shall select from  
10 the list the number of persons as the judges of the circuit  
11 courts, to be held in the county during the succeeding year,  
12 may by joint action determine to serve as petit jurors. In  
13 counties having jury commissioners, the persons to serve as  
14 petit jurors shall be selected by the jury commissioners, as  
15 provided by law. County boards, a jury administrator, and jury  
16 commissioners may utilize the services of the Administrative  
17 Office of the Illinois Courts in making these selections.  
18 Jurors in all counties in Illinois must have the legal  
19 qualifications herein prescribed. Jurors must be:

20 (1) Inhabitants of the county.

21 (2) Of the age of 18 years or upwards.

22 (3) Free from all legal exception, of fair character, of  
23 approved integrity, of sound judgment, well informed, and able

1 to understand the English language, whether in spoken or  
2 written form, ~~or~~ interpreted into sign language, or, in  
3 counties in which a pilot program is implemented in accordance  
4 with Section 8-1403 of the Code of Civil Procedure, interpreted  
5 or translated into the juror's predominant language.

6 (4) Citizens of the United States of America.

7 (Source: P.A. 90-482, eff. 1-1-98.)

8 Section 10. The Jury Secrecy Act is amended by changing  
9 Section 1 as follows:

10 (705 ILCS 315/1) (from Ch. 78, par. 36)

11 Sec. 1. (a) Except as provided in subsection (b), whoever  
12 knowingly and wilfully, by any device or means whatsoever  
13 records or attempts to record, the proceedings of a petit jury  
14 in any court of the State of Illinois while the jury is  
15 deliberating or voting, or listens to or observes, or attempts  
16 to listen to or observe, the proceedings of any petit jury of  
17 which he is not a member in any court of the State of Illinois  
18 while the jury is deliberating or voting, shall be guilty of a  
19 Class A misdemeanor. However, if any juror is deaf or hard of  
20 hearing, the juror may be accompanied by and may communicate  
21 with a court appointed interpreter throughout any period during  
22 which the jury is sequestered or engaged in its deliberations.  
23 In counties in which a pilot program is implemented in  
24 accordance with Section 8-1403 of the Code of Civil Procedure,

1 if any juror's predominant language is not English, the juror  
2 may be accompanied by an interpreter. In the case of a  
3 non-English speaking juror, the interpreter shall be available  
4 throughout the actual trial and may accompany and communicate  
5 with the juror throughout any period during which the jury is  
6 sequestered or engaged in its deliberations. If the jury  
7 foreman reasonably believes that an ~~the~~ interpreter is doing  
8 more than interpreting, nothing in this Act shall prevent him  
9 or her from petitioning the court and requesting that the  
10 interpreter be replaced with another interpreter.

11 (b) A petit juror in any court of the State of Illinois  
12 shall be entitled to take notes in connection with and solely  
13 for the purpose of assisting him in the performance of his  
14 duties as juror, and the sheriff of the county in which such  
15 juror is serving shall provide writing materials for that  
16 purpose. Such notes shall remain confidential, and shall be  
17 destroyed by the sheriff after the verdict has been returned or  
18 a mistrial declared.

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

20 Section 15. The Code of Civil Procedure is amended by  
21 adding Sections 8-1403 as follows:

22 (735 ILCS 5/8-1403 new)

23 Sec. 8-1403. Accommodation for jurors whose predominant  
24 language is not English.

1       (a) In the counties of Cook, Lake, DuPage, Kane, and Will,  
2 the court shall implement a pilot program to appoint a  
3 qualified interpreter to interpret or translate proceedings  
4 for a juror whose predominant language is not English. The  
5 interpreter shall be available throughout the trial and may  
6 accompany and communicate with the juror throughout any period  
7 during which the jury is sequestered or engaged in its  
8 deliberations. The court shall determine and allow a reasonable  
9 fee for all services provided under this Section which shall be  
10 paid out of general county funds.

11       (b) The Administrative Office of the Illinois Courts shall  
12 record the following regarding the pilot program: the amount of  
13 funding that is expended; what languages are interpreted; and  
14 the extent to which interpreters are used in each county in  
15 which the pilot program operates.

16       (c) Before a qualified interpreter participates in any  
17 proceedings authorized under this Section, the interpreter  
18 shall make an oath or affirmation that the interpreter will:

19           (1) make a true interpretation from English to the  
20 juror's predominant language and from the juror's  
21 predominant language to English;

22           (2) not interject the interpreter's own thoughts,  
23 beliefs, conclusions, or opinions regarding any  
24 interpretation of what the evidence shows, what the  
25 instructions mean, or how the evidence is analyzed as it  
26 relates to the instructions issued by the court; and

1           (3) not express any opinion as to what the verdict  
2           should be.

3           (d) This Section is repealed 2 years after the effective  
4           date of this amendatory Act of the 98th General Assembly.