

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 10.4
5 as follows:

6 (705 ILCS 305/10.4)

7 Sec. 10.4. Removal of prospective juror due to total and
8 permanent disability. If a prospective juror is found to be
9 unqualified due to the existence of a total and permanent
10 disability or is excused for undue hardship that is due to the
11 existence of a total and permanent disability, the county
12 board, jury administrator, or jury commissioners shall
13 permanently exclude the prospective juror from all current and
14 subsequent jury lists or general jury lists. Proof of total and
15 permanent disability shall be either:

16 (1) a written letter from a licensed physician that
17 states the prospective juror has a total and permanent
18 disability as defined in this Section, describes the
19 disability, explains how it prevents the prospective juror
20 from serving as a juror, and states that the prospective
21 juror will never be able to serve as a juror;~~;~~

22 (2) a copy of an individualized education program plan
23 for the prospective juror who participates in a special

1 education program or receives transition or supported
2 employment services under Article 14 of the School Code,
3 submitted by the prospective juror or his or her legal
4 guardian; or

5 (3) a copy of a court order for guardianship showing
6 that the juror has been adjudged totally without capacity
7 and a plenary guardian has been appointed.

8 The county board, jury administrator, or jury
9 commissioners shall create and maintain a list of persons to be
10 permanently excluded from any jury list or general jury list
11 pursuant to this Section. The county board, jury administrator,
12 or jury commissioners shall notify a prospective juror, or his
13 or her legal guardian, when the juror is permanently excluded
14 from all current and subsequent jury lists or general jury
15 lists due to total and permanent disability.

16 For the purposes of this Section, "total and permanent
17 disability" means any physical or mental impairment, disease,
18 or loss of a permanent nature that prevents performance of the
19 duties of a juror. "Total and permanent disability" does not
20 include an impairment or disease that is transitory or minor in
21 nature or is capable of being improved.

22 (Source: P.A. 97-436, eff. 1-1-12.)

23 Section 10. The Jury Commission Act is amended by changing
24 Section 10.5 as follows:

1 (705 ILCS 310/10.5)

2 Sec. 10.5. Removal of prospective juror due to total and
3 permanent disability. If a prospective juror is found to be
4 unqualified due to the existence of a total and permanent
5 disability or is excused for undue hardship that is due to the
6 existence of a total and permanent disability, the jury
7 administrator or jury commissioners shall permanently exclude
8 the prospective juror from all current and subsequent jury
9 lists or general jury lists. Proof of total and permanent
10 disability shall be either:

11 (1) a written letter from a licensed physician that
12 states the prospective juror has a total and permanent
13 disability as defined in this Section, describes the
14 disability, explains how it prevents the prospective juror
15 from serving as a juror, and states that the prospective
16 juror will never be able to serve as a juror;~~;~~

17 (2) a copy of an individualized education program plan
18 for the prospective juror who participates in a special
19 education program or receives transition or supported
20 employment services under Article 14 of the School Code,
21 submitted by the prospective juror or his or her legal
22 guardian; or

23 (3) a copy of a court order for guardianship showing
24 that the juror has been adjudged totally without capacity
25 and a plenary guardian has been appointed.

26 The jury administrator or jury commissioners shall create

1 and maintain a list of persons to be permanently excluded from
2 any jury list or general jury list pursuant to this Section.
3 The jury administrator or jury commissioners shall notify a
4 prospective juror, or his or her legal guardian, when the juror
5 is permanently excluded from all current and subsequent jury
6 lists or general jury lists due to total and permanent
7 disability.

8 For the purposes of this Section, "total and permanent
9 disability" means any physical or mental impairment, disease,
10 or loss of a permanent nature that prevents performance of the
11 duties of a juror. "Total and permanent disability" does not
12 include an impairment or disease that is transitory or minor in
13 nature or is capable of being improved.

14 (Source: P.A. 97-436, eff. 1-1-12.)