

1 AN ACT concerning the courts.

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 adding
5 Sections 2f-1, 2f-2, and 2f-3 as follows:

6 (705 ILCS 35/2f-1 new)

7 Sec. 2f-1. Twelfth circuit; subcircuits; additional
8 judges.

9 (a) The twelfth circuit shall be divided into 5
10 subcircuits. The subcircuits shall be compact, contiguous,
11 and substantially equal in population. The General Assembly
12 shall create the subcircuits by law on or before January 1,
13 2005, using population data as determined by the 2000 federal
14 census.

15 (b) The twelfth circuit shall have 3 additional resident
16 judgeships for a total of 5 resident judgeships. The 3
17 additional resident judgeships created by this amendatory Act
18 of the 93rd General Assembly shall each be filled by election
19 beginning at the general election in 2006. The 3 additional
20 resident judgeships created by this amendatory Act of the
21 93rd General Assembly shall not be filled by appointment
22 before the 2006 general election.

23 (c) The Supreme Court shall allot (i) the additional 3
24 resident judgeships created by this amendatory Act of the
25 93rd General Assembly, (ii) all vacancies in resident
26 judgeships existing on or occurring on or after the effective
27 date of this amendatory Act of the 93rd General Assembly and
28 not filled at the 2004 general election, with respect to the
29 other resident judgeships of the twelfth circuit, and (iii)
30 the resident judgeships of the twelfth circuit filled at the
31 2004 general election as those judgeships thereafter become

1 vacant, for election from the various subcircuits until there
2 is one resident judge to be elected from each of the 5
3 subcircuits.

4 (d) As soon as possible after the subcircuits are
5 created by law, the Supreme Court shall determine by lot 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 (e) A resident judge of a subcircuit must reside in the
12 subcircuit and must continue to reside in that subcircuit as
13 long as he or she holds that office.

14 (f) Vacancies in resident judgeships of the twelfth
15 circuit shall be filled in the manner provided in Article VI
16 of the Illinois Constitution.

17 (705 ILCS 35/2f-2 new)

18 Sec. 2f-2. Eighteenth circuit; subcircuits; additional
19 judges.

20 (a) The eighteenth circuit shall be divided into 6
21 subcircuits. The subcircuits shall be compact, contiguous,
22 and substantially equal in population. The General Assembly
23 shall create the subcircuits by law on or before January 1,
24 2005, using population data as determined by the 2000 federal
25 census.

26 (b) The eighteenth circuit shall have 3 additional
27 resident judgeships for a total of 5 resident judgeships.
28 The 3 additional resident judgeships created by this
29 amendatory Act of the 93rd General Assembly shall each be
30 filled by election beginning at the general election in 2006.
31 The 3 additional resident judgeships created by this
32 amendatory Act of the 93rd General Assembly shall not be
33 filled by appointment before the 2006 general election.

1 (c) The Supreme Court shall allot (i) the additional 3
2 resident judgeships created by this amendatory Act of the
3 93rd General Assembly, (ii) all vacancies in resident
4 judgeships existing on or occurring on or after the effective
5 date of this amendatory Act of the 93rd General Assembly and
6 not filled at the 2004 general election, with respect to the
7 other resident judgeships of the eighteenth circuit, and
8 (iii) the resident judgeships of the eighteenth circuit
9 filled at the 2004 general election as those judgeships
10 thereafter become vacant, for election from the various
11 subcircuits until there is one resident judge to be elected
12 from each of 5 subcircuits. The first judgeship, other than
13 a resident judgeship, in the eighteenth circuit that becomes
14 vacant after the 2006 general election shall be allotted,
15 upon becoming vacant, to one subcircuit.

16 (d) As soon as possible after the subcircuits are
17 created by law, the Supreme Court shall determine by lot a
18 numerical order for the 6 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 (e) A resident judge of a subcircuit must reside in the
24 subcircuit and must continue to reside in that subcircuit as
25 long as he or she holds that office.

26 (f) Vacancies in resident judgeships of the eighteenth
27 circuit shall be filled in the manner provided in Article VI
28 of the Illinois Constitution.

29 (705 ILCS 35/2f-3 new)

30 Sec. 2f-3. Nineteenth circuit; subcircuits; additional
31 judges.

32 (a) The nineteenth circuit shall be divided into 6
33 subcircuits. The subcircuits shall be compact, contiguous,

1 and substantially equal in population. The General Assembly
2 shall create the subcircuits by law on or before January 1,
3 2005, using population data as determined by the 2000 federal
4 census.

5 (b) The nineteenth circuit shall have 4 additional
6 resident judgeships for a total of 13 resident judgeships.
7 The 4 additional resident judgeships created by this
8 amendatory Act of the 93rd General Assembly shall each be
9 filled by election beginning at the general election in 2006.
10 The 4 additional resident judgeships created by this
11 amendatory Act of the 93rd General Assembly shall not be
12 filled by appointment before the 2006 general election.

13 (c) The Supreme Court shall allot (i) the additional 4
14 resident judgeships created by this amendatory Act of the
15 93rd General Assembly, (ii) all vacancies in resident
16 judgeships existing on or occurring on or after the effective
17 date of this amendatory Act of the 93rd General Assembly and
18 not filled at the 2004 general election, with respect to the
19 other resident judgeships of the nineteenth circuit, and
20 (iii) the resident judgeships of the nineteenth circuit
21 filled at the 2004 general election as those judgeships
22 thereafter become vacant, for election from the various
23 subcircuits until there are 2 resident judges to be elected
24 from each of 5 subcircuits and 3 resident judges to be
25 elected from one subcircuit.

26 (d) As soon as possible after the subcircuits are
27 created by law, the Supreme Court shall determine by lot a
28 numerical order for the 6 subcircuits. That numerical order
29 shall be the basis for the order in which resident judgeships
30 are assigned to the subcircuits. After the first round of
31 assignments, the second and all later rounds shall be based
32 on the same numerical order. Once a resident judgeship is
33 assigned to a subcircuit, it shall continue to be assigned to
34 that subcircuit for all purposes.

1 (e) A resident judge of a subcircuit must reside in the
2 subcircuit and must continue to reside in that subcircuit as
3 long as he or she holds that office.

4 (f) Vacancies in resident judgeships of the nineteenth
5 circuit shall be filled in the manner provided in Article VI
6 of the Illinois Constitution.

7 Section 10. The Judicial Vacancies Act is amended by
8 changing Section 2 as follows:

9 (705 ILCS 40/2) (from Ch. 37, par. 72.42)

10 Sec. 2. (a) Except as provided in paragraphs (1), (2),
11 (3), and (4), and (5) of this subsection (a), vacancies in
12 the office of a resident circuit judge in any county or in
13 any unit or subcircuit of any circuit shall not be filled.

14 (1) If in any county of less than 45,000
15 inhabitants there remains in office no other resident
16 judge following the occurrence of a vacancy, such vacancy
17 shall be filled.

18 (2) If in any county of 45,000 or more but less
19 than 60,000 inhabitants there remains in office only one
20 resident judge following the occurrence of a vacancy,
21 such vacancy shall be filled.

22 (3) If in any county of 60,000 or more inhabitants,
23 other than the County of Cook or as provided in paragraph
24 (5), there remain in office no more than 2 resident
25 judges following the occurrence of a vacancy, such
26 vacancy shall be filled.

27 (4) The County of Cook shall have 165 resident
28 judges on and after the effective date of this amendatory
29 Act of 1990. Of those resident judgeships, (i) 56 shall
30 be those authorized before the effective date of this
31 amendatory Act of 1990 from the unit of the Circuit of
32 Cook County within Chicago, (ii) 27 shall be those

1 authorized before the effective date of this amendatory
2 Act of 1990 from the unit of the Circuit of Cook County
3 outside Chicago, (iii) 12 shall be additional resident
4 judgeships first elected at the general election in
5 November of 1992, (iv) 10 shall be additional resident
6 judgeships first elected at the general election in
7 November of 1994, and (v) 60 shall be additional resident
8 judgeships to be authorized one each for each reduction
9 upon vacancy in the office of associate judge in the
10 Circuit of Cook County as those vacancies exist or occur
11 on and after the effective date of this amendatory Act of
12 1990 and as those vacancies are determined under
13 subsection (b) of Section 2 of the Associate Judges Act
14 until the total resident judgeships authorized under this
15 item (v) is 60. Seven of the 12 additional resident
16 judgeships provided in item (iii) may be filled by
17 appointment by the Supreme Court during the period
18 beginning on the effective date of this amendatory Act of
19 1990 and ending 60 days before the primary election in
20 March of 1992; those judicial appointees shall serve
21 until the first Monday in December of 1992. Five of the
22 12 additional resident judgeships provided in item (iii)
23 may be filled by appointment by the Supreme Court during
24 the period beginning July 1, 1991 and ending 60 days
25 before the primary election in March of 1992; those
26 judicial appointees shall serve until the first Monday in
27 December of 1992. Five of the 10 additional resident
28 judgeships provided in item (iv) may be filled by
29 appointment by the Supreme Court during the period
30 beginning July 1, 1992 and ending 60 days before the
31 primary election in March of 1994; those judicial
32 appointees shall serve until the first Monday in December
33 of 1994. The remaining 5 of the 10 additional resident
34 judgeships provided in item (iv) may be filled by

1 appointment by the Supreme Court during the period
2 beginning July 1, 1993 and ending 60 days before the
3 primary election in March of 1994; those judicial
4 appointees shall serve until the first Monday in December
5 1994. The additional resident judgeships created upon
6 vacancy in the office of associate judge provided in item
7 (v) may be filled by appointment by the Supreme Court
8 beginning on the effective date of this amendatory Act of
9 1990; but no additional resident judgeships created upon
10 vacancy in the office of associate judge provided in item
11 (v) shall be filled during the 59 day period before the
12 next primary election to nominate judges. The Circuit of
13 Cook County shall be divided into units to be known as
14 subcircuits as provided in Section 2f of the Circuit
15 Courts Act. A vacancy in the office of resident judge of
16 the Circuit of Cook County existing on or occurring on or
17 after the effective date of this amendatory Act of 1990,
18 but before the date the subcircuits are created by law,
19 shall be filled by appointment by the Supreme Court from
20 the unit within Chicago or the unit outside Chicago, as
21 the case may be, in which the vacancy occurs and filled
22 by election from the subcircuit to which it is allotted
23 under Section 2f of the Circuit Courts Act. A vacancy in
24 the office of resident judge of the Circuit of Cook
25 County existing on or occurring on or after the date the
26 subcircuits are created by law shall be filled by
27 appointment by the Supreme Court and by election from the
28 subcircuit to which it is allotted under Section 2f of
29 the Circuit Courts Act.

30 (5) Resident judges in the twelfth, eighteenth, and
31 nineteenth judicial circuits are as provided in Sections
32 2f-1, 2f-2, and 2f-3 of the Circuit Courts Act.

33 (b) Nothing in paragraphs (2) or (3) of subsection (a)
34 of this Section shall be construed to require or permit in

1 any county a greater number of resident judges than there
2 were resident associate judges on January 1, 1967.

3 (c) Vacancies authorized to be filled by this Section 2
4 shall be filled in the manner provided in Article VI of the
5 Constitution.

6 (d) A person appointed to fill a vacancy in the office
7 of circuit judge shall be, at the time of appointment, a
8 resident of the subcircuit from which the person whose
9 vacancy is being filled was elected if the vacancy occurred
10 in a circuit divided into subcircuits Cook--County. If a
11 vacancy in the office of circuit judge occurred in a circuit
12 not divided into subcircuits other-than-Cook-County, a person
13 appointed to fill the vacancy shall be, at the time of
14 appointment, a resident of the circuit from which the person
15 whose vacancy is being filled was elected. Except as
16 provided in Sections 2f-1, 2f-2, and 2f-3 of the Circuit
17 Courts Act, if a vacancy occurred in the office of a resident
18 circuit judge, a person appointed to fill the vacancy shall
19 be, at the time of appointment, a resident of the county from
20 which the person whose vacancy is being filled was elected.

21 (Source: P.A. 90-342, eff. 8-8-97.)