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 Circuit Courts Act is amended by changing

5    Sections 2f-1 and 2f-4 as follows:

6        (705 ILCS 35/2f-1)

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

8        (a) On December 4, 2006, the 19th judicial circuit is

9    divided into the 19th and 22nd judicial circuits as provided in

10   Section 1 of the Circuit Courts Act. This division does not

11   invalidate any action taken by the 19th judicial circuit or any

12   of its judges, officers, employees, or agents before December

13   4, 2006. This division does not affect any person's rights,

14   obligations, or duties, including applicable civil and

15   criminal penalties, arising out of any action taken by the 19th

16   judicial circuit or any of its judges, officers, employees, or

17   agents before December 4, 2006.

18       (b) Of the 7 circuit judgeships elected at large in the

19   19th circuit before the general election in 2006, the Supreme

20   Court shall assign 5 to the 19th circuit and 2 to the 22nd

21   circuit, based on residency of the circuit judges then holding

22   those judgeships. The 5 assigned to the 19th circuit shall

23   continue to be elected at large. The 2 assigned to the 22nd

24   circuit shall continue to be elected at large.

25       (c) The 6 resident judgeships elected from Lake County

26   before the general election in 2006 shall become resident

27   judgeships in the 19th circuit on December 4, 2006, and the 3

28   resident judgeships elected from McHenry County before the

29   general election in 2006 shall become resident judgeships in

30   the 22nd circuit on December 4, 2006.

31       (d) On December 4, 2006, the Supreme Court shall allocate

32   the associate judgeships of the 19th circuit before that date

1    between the 19th and 22nd circuits based on the population of

2    those circuits; however, the number of associate judges in the

3    19th circuit on and after December 4, 2006 shall be no less

4    than the number of associate judges residing in Lake County on

5    March 22, 2004. An associate judge appointed from a subcircuit

6    of the 19th circuit must reside in the subcircuit from which he

7    or she is appointed and must continue to reside in that

8    subcircuit as long as he or she holds that office. This

9    residency requirement shall not apply to persons serving as

10   associate judges on the effective date of this amendatory Act

11   of the 93rd General Assembly. On and after December 4, 2006 in

12   the 19th circuit, associate judgeships shall be allocated

13   equally among the subcircuits created in accordance with

14   Section 2f-2. If, after associate judgeships are allocated

15   equally among the subcircuits of the 19th circuit, there are

16   any remaining associate judgeships that have not been allocated

17   to any subcircuit, those remaining associate judgeships shall

18   be filled at large from the entire circuit.

19       (e) On December 4, 2006, the Supreme Court shall allocate

20   personnel, books, records, documents, property (real and

21   personal), funds, assets, liabilities, and pending matters

22   concerning the 19th circuit before that date between the 19th

23   and 22nd circuits based on the population and staffing needs of

24   those circuits and the efficient and proper administration of

25   the judicial system. The rights of employees under applicable

26   collective bargaining agreements are not affected by this

27   amendatory Act of the 93rd General Assembly.

28       (f) The judgeships set forth in this Section include the

29   judgeships authorized under Sections 2g, 2h, and 2j. The

30   judgeships authorized in those Sections are not in addition to

31   those set forth in this Section.

32   (Source: P.A. 93-541, eff. 8-18-03.)


33       (705 ILCS 35/2f-4)

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

35       (a) The 12th circuit shall be divided into 5 subcircuits.

1    The    subcircuits    shall    be    compact,    contiguous,    and
2    substantially equal in population. The General Assembly by law
3    shall create the subcircuits on or before February 1, 2004,
4    using population data as determined by the 2000 federal census,
5    and shall determine a numerical order for the 5 subcircuits.
6    That numerical order shall be the basis for the order in which
7    resident judgeships are assigned to the subcircuits. Once a
8    resident judgeship is assigned to a subcircuit, it shall
9    continue to be assigned to that subcircuit for all purposes.
10        (a-5) Two of the 12th circuit's associate judgeships shall
11   be allotted as 12th circuit resident judgeships under
12   subsection (c) as those associate judgeships are converted to
13   resident judgeships in accordance with Section 2 of the
14   Associate Judges Act.
15        (a-10) Of the 12th circuit's 10 existing circuit judgeships
16   (8 at large and 2 resident), 2 shall be allotted as 12th
17   circuit resident judgeships under subsection (c) as the first 2
18   of any of those at large and resident judgeships become vacant
19   on or after August 18, 2003 the effective date of this
20   amendatory Act of the 93rd General Assembly. As used in this
21   subsection, a vacancy does not include the expiration of a term
22   of an at large or resident judge who seeks retention in that
23   office at the next term.
24        (b) The 12th circuit shall have 3 one additional resident
25   judgeships judgeship, as well as its 2 existing resident
26   judgeships, and 8 at large judgeships, and 2 former associate
27   judgeships, for a total of 13 judgeships available to be
28   allotted to the 5 subcircuit resident judgeships. The
29   additional resident judgeships judgeship created by Public Act
30   93-541 and this amendatory Act of 2004 the 93rd General
31   Assembly shall be filled by election beginning at the general
32   election in 2006. After the subcircuits are created by law, the
33   Supreme Court shall fill by appointment the one additional
34   resident judgeship created by Public Act 93-541 this amendatory
35   Act of the 93rd General Assembly until the 2006 general
36   election.

1      (c) The Supreme Court shall allot (i) the additional

2  resident judgeships judgeship of the 12th circuit created by

3  Public Act 93-541 and this amendatory Act of 2004 the 93rd

4  General Assembly, and (ii) the first 2 vacancies in the at

5  large and resident judgeships of the 12th circuit as provided

6  in subsection (a-10), and (iii) 2 associate judgeships of the

7  12th circuit as they are converted to resident judgeships as

8  provided in subsection (a-5), for election from the various

9  subcircuits until there is one resident judge to be elected

10 from each subcircuit. No at large or resident judge of the 12th

11 circuit serving on August 18, 2003 the effective date of this

12 amendatory Act of the 93rd General Assembly shall be required

13 to change his or her residency in order to continue serving in

14 office or to seek retention in office as at large or resident

15 judgeships are allotted by the Supreme Court in accordance with

16 this Section.

17      (d) A resident judge of a subcircuit must reside in the

18 subcircuit and must continue to reside in that subcircuit as

19 long as he or she holds that office.

20      (e) Vacancies in resident judgeships of the 12th circuit

21 shall be filled in the manner provided in Article VI of the

22 Illinois Constitution.

23 (Source: P.A. 93-541, eff. 8-18-03.)


24      Section 10. The Associate Judges Act is amended by changing

25 Section 2 as follows:


26      (705 ILCS 45/2) (from Ch. 37, par. 160.2)

27      Sec. 2. (a) The maximum number of associate judges

28 authorized for each circuit is the greater of the applicable

29 minimum number specified in this Section or one for each 35,000

30 or fraction thereof in population as determined by the last

31 preceding Federal census, except for circuits with a population

32 of more than 3,000,000 where the maximum number of associate

33 judges is one for each 29,000 or fraction thereof in population

34 as determined by the last preceding federal census, reduced in

1  circuits of less than 200,000 inhabitants by the number of
2  resident circuit judges elected in the circuit in excess of one
3  per county. In addition, in circuits of 1,000,000 or more
4  inhabitants, there shall be one additional associate judge
5  authorized for each municipal district of the circuit court.
6  The number of associate judges to be appointed in each circuit,
7  not to exceed the maximum authorized, shall be determined from
8  time to time by the Circuit Court. The minimum number of
9  associate judges authorized for any circuit consisting of a
10  single county shall be 14, except that the minimum in the 22nd
11  circuit shall be 8. The minimum number of associate judges
12  authorized for any circuit consisting of 2 counties with a
13  combined population of at least 275,000 but less than 300,000
14  shall be 10. The minimum number of associate judges authorized
15  for any circuit with a population of at least 303,000 but not
16  more than 309,000 shall be 10. The minimum number of associate
17  judges authorized for any circuit with a population of at least
18  329,000, but not more than 335,000 shall be 11. The minimum
19  number of associate judges authorized for any circuit with a
20  population of at least 173,000 shall be 5. As used in this
21  Section, the term "resident circuit judge" has the meaning
22  given it in the Judicial Vacancies Act.

23  (b) The maximum number of associate judges authorized under
24  subsection (a) for a circuit with a population of more than
25  3,000,000 shall be reduced as provided in this subsection (b).
26  For each vacancy that exists on or occurs on or after the
27  effective date of this amendatory Act of 1990, that maximum
28  number shall be reduced by one until the total number of
29  associate judges authorized under subsection (a) is reduced by
30  60. A vacancy exists or occurs when an associate judge dies,
31  resigns, retires, is removed, or is not reappointed upon
32  expiration of his or her term; a vacancy does not exist or
33  occur at the expiration of a term if the associate judge is
34  reappointed.

35  (c) The maximum number of associate judges authorized under
36  subsection (a) for the 12th judicial circuit shall be reduced

1   ~~as provided in this subsection (c). For each vacancy that~~

2   ~~exists on or occurs after the effective date of this amendatory~~

3   ~~Act of the 93rd General Assembly, that maximum number shall be~~

4   ~~reduced by one until the total number of associate judges~~

5   ~~authorized under subsection (a) is reduced by 2. A vacancy~~

6   ~~exists or occurs when (i) a new associate judgeship has been~~

7   ~~authorized under subsection (a) for the 12th judicial circuit,~~

8   ~~but has not been filled by appointment or (ii) an associate~~

9   ~~judge dies, resigns, retires, is removed, or is not reappointed~~

10  ~~upon expiration of his or her term. A vacancy does not exist or~~

11  ~~occur at the expiration of a term if the associate judge is~~

12  ~~reappointed.~~

13  (Source: P.A. 92-17, eff. 6-28-01; 93-541, eff. 8-18-03.)

14      Section 99. Effective date. This Act takes effect upon

15  becoming law.