



Sen. Edward Petka

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1 AMENDMENT TO SENATE BILL 2287

2 AMENDMENT NO. _____. Amend Senate Bill 2287, AS AMENDED,
3 in the introductory clause of Section 5 by replacing "Section
4 2f-1" with "Sections 2f-1 and 2f-4"; and

5 by inserting after the last line of Sec. 2f-1 of Section 5 the
6 following:

7 "(705 ILCS 35/2f-4)
8 Sec. 2f-4. 12th circuit; subcircuits; additional judges.

9 (a) The 12th circuit shall be divided into 5 subcircuits.
10 The subcircuits shall be compact, contiguous, and
11 substantially equal in population. The General Assembly by law
12 shall create the subcircuits on or before February 1, 2004,
13 using population data as determined by the 2000 federal census,
14 and shall determine a numerical order for the 5 subcircuits.
15 That numerical order shall be the basis for the order in which
16 resident judgeships are assigned to the subcircuits. Once a
17 resident judgeship is assigned to a subcircuit, it shall
18 continue to be assigned to that subcircuit for all purposes.

19 ~~(a-5) Two of the 12th circuit's associate judgeships shall~~
20 ~~be allotted as 12th circuit resident judgeships under~~
21 ~~subsection (c) as those associate judgeships are converted to~~
22 ~~resident judgeships in accordance with Section 2 of the~~
23 ~~Associate Judges Act.~~

24 (a-10) Of the 12th circuit's 10 existing circuit judgeships

1 (8 at large and 2 resident), 2 shall be allotted as 12th
2 circuit resident judgeships under subsection (c) as the first 2
3 of any of those at large and resident judgeships become vacant
4 on or after August 18, 2003 ~~the effective date of this~~
5 ~~amendatory Act of the 93rd General Assembly~~. As used in this
6 subsection, a vacancy does not include the expiration of a term
7 of an at large or resident judge who seeks retention in that
8 office at the next term.

9 (b) The 12th circuit shall have 3 ~~one~~ additional resident
10 ~~judgeships~~ ~~judgeship~~, as well as its 2 existing resident
11 judgeships, and 8 at large judgeships, ~~and 2 former associate~~
12 ~~judgeships~~, for a total of 13 judgeships available to be
13 allotted to the 5 subcircuit resident judgeships. The
14 additional resident ~~judgeships~~ ~~judgeship~~ created by Public Act
15 93-541 and this amendatory Act of 2004 ~~the 93rd General~~
16 ~~Assembly~~ shall be filled by election beginning at the general
17 election in 2006. After the subcircuits are created by law, the
18 Supreme Court shall fill by appointment the one additional
19 resident judgeship created by Public Act 93-541 ~~this amendatory~~
20 ~~Act of the 93rd General Assembly~~ until the 2006 general
21 election.

22 (c) The Supreme Court shall allot (i) the additional
23 resident ~~judgeships~~ ~~judgeship~~ of the 12th circuit created by
24 Public Act 93-541 and this amendatory Act of 2004 ~~the 93rd~~
25 ~~General Assembly~~, and (ii) the first 2 vacancies in the at
26 large and resident judgeships of the 12th circuit as provided
27 in subsection (a-10), ~~and (iii) 2 associate judgeships of the~~
28 ~~12th circuit as they are converted to resident judgeships as~~
29 ~~provided in subsection (a-5)~~, for election from the various
30 subcircuits until there is one resident judge to be elected
31 from each subcircuit. No at large or resident judge of the 12th
32 circuit serving on August 18, 2003 ~~the effective date of this~~
33 ~~amendatory Act of the 93rd General Assembly~~ shall be required
34 to change his or her residency in order to continue serving in

1 office or to seek retention in office as at large or resident
2 judgeships are allotted by the Supreme Court in accordance with
3 this Section.

4 (d) A resident judge of a subcircuit must reside in the
5 subcircuit and must continue to reside in that subcircuit as
6 long as he or she holds that office.

7 (e) Vacancies in resident judgeships of the 12th circuit
8 shall be filled in the manner provided in Article VI of the
9 Illinois Constitution.

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

11 Section 10. The Associate Judges Act is amended by changing
12 Section 2 as follows:

13 (705 ILCS 45/2) (from Ch. 37, par. 160.2)

14 Sec. 2. (a) The maximum number of associate judges
15 authorized for each circuit is the greater of the applicable
16 minimum number specified in this Section or one for each 35,000
17 or fraction thereof in population as determined by the last
18 preceding Federal census, except for circuits with a population
19 of more than 3,000,000 where the maximum number of associate
20 judges is one for each 29,000 or fraction thereof in population
21 as determined by the last preceding federal census, reduced in
22 circuits of less than 200,000 inhabitants by the number of
23 resident circuit judges elected in the circuit in excess of one
24 per county. In addition, in circuits of 1,000,000 or more
25 inhabitants, there shall be one additional associate judge
26 authorized for each municipal district of the circuit court.
27 The number of associate judges to be appointed in each circuit,
28 not to exceed the maximum authorized, shall be determined from
29 time to time by the Circuit Court. The minimum number of
30 associate judges authorized for any circuit consisting of a
31 single county shall be 14, except that the minimum in the 22nd
32 circuit shall be 8. The minimum number of associate judges

1 authorized for any circuit consisting of 2 counties with a
2 combined population of at least 275,000 but less than 300,000
3 shall be 10. The minimum number of associate judges authorized
4 for any circuit with a population of at least 303,000 but not
5 more than 309,000 shall be 10. The minimum number of associate
6 judges authorized for any circuit with a population of at least
7 329,000, but not more than 335,000 shall be 11. The minimum
8 number of associate judges authorized for any circuit with a
9 population of at least 173,000 shall be 5. As used in this
10 Section, the term "resident circuit judge" has the meaning
11 given it in the Judicial Vacancies Act.

12 (b) The maximum number of associate judges authorized under
13 subsection (a) for a circuit with a population of more than
14 3,000,000 shall be reduced as provided in this subsection (b).
15 For each vacancy that exists on or occurs on or after the
16 effective date of this amendatory Act of 1990, that maximum
17 number shall be reduced by one until the total number of
18 associate judges authorized under subsection (a) is reduced by
19 60. A vacancy exists or occurs when an associate judge dies,
20 resigns, retires, is removed, or is not reappointed upon
21 expiration of his or her term; a vacancy does not exist or
22 occur at the expiration of a term if the associate judge is
23 reappointed.

24 ~~(c) The maximum number of associate judges authorized under~~
25 ~~subsection (a) for the 12th judicial circuit shall be reduced~~
26 ~~as provided in this subsection (c). For each vacancy that~~
27 ~~exists on or occurs after the effective date of this amendatory~~
28 ~~Act of the 93rd General Assembly, that maximum number shall be~~
29 ~~reduced by one until the total number of associate judges~~
30 ~~authorized under subsection (a) is reduced by 2. A vacancy~~
31 ~~exists or occurs when (i) a new associate judgeship has been~~
32 ~~authorized under subsection (a) for the 12th judicial circuit,~~
33 ~~but has not been filled by appointment or (ii) an associate~~
34 ~~judge dies, resigns, retires, is removed, or is not reappointed~~

1 ~~upon expiration of his or her term. A vacancy does not exist or~~
2 ~~occur at the expiration of a term if the associate judge is~~
3 ~~reappointed.~~

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

5 Section 99. Effective date. This Act takes effect upon
6 becoming law."