



Filed: 5/31/2007

09500SB0996ham001

LRB095 05859 AJ0 36598 a

1 AMENDMENT TO SENATE BILL 996

2 AMENDMENT NO. _____. Amend Senate Bill 996 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Circuit Courts Act is amended by changing
5 Sections 2f, 2f-2, 2f-4, 2f-5, 2f-6, and 2f-9 as follows:

6 (705 ILCS 35/2f) (from Ch. 37, par. 72.2f)

7 Sec. 2f. (a) The Circuit of Cook County shall be divided
8 into 15 units to be known as subcircuits. The subcircuits shall
9 be compact, contiguous, and substantially equal in population.
10 The General Assembly shall create the subcircuits by law on or
11 before July 1, 1991, using population data as determined by the
12 1990 Federal census.

13 (b) The 165 resident judges to be elected from the Circuit
14 of Cook County shall be determined under paragraph (4) of
15 subsection (a) of Section 2 of the Judicial Vacancies Act.

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

1 resident judgeships provided by paragraph (4) of subsection (a)
2 of Section 2 of the Judicial Vacancies Act and (ii) all
3 vacancies in resident judgeships existing on or occurring on or
4 after the effective date of this amendatory Act of 1990, with
5 respect to the other resident judgeships of the Circuit of Cook
6 County, for election from the various subcircuits until there
7 are 11 resident judges to be elected from each of the 15
8 subcircuits (for a total of 165). A resident judgeship
9 authorized before the effective date of this amendatory Act of
10 1990 that became vacant and was filled by appointment by the
11 Supreme Court before that effective date shall be filled by
12 election at the general election in November of 1992 from the
13 unit of the Circuit of Cook County within Chicago or the unit
14 of that Circuit outside Chicago, as the case may be, in which
15 the vacancy occurred.

16 (d) As soon as practicable after the subcircuits are
17 created by law, the Supreme Court shall determine by lot a
18 numerical order for the 15 subcircuits. That numerical order
19 shall be the basis for the order in which resident judgeships
20 are assigned to the subcircuits. After the first round of
21 assignments, the second and all later rounds shall be based on
22 the same numerical order. Once a resident judgeship is assigned
23 to a subcircuit, it shall continue to be assigned to that
24 subcircuit for all purposes.

25 (e) A resident judge elected from a subcircuit shall
26 continue to reside in that subcircuit as long as he or she

1 holds that office. A resident judge elected from a subcircuit
2 after January 1, 2008, must retain residency as a registered
3 voter in the subcircuit to run for retention from the circuit
4 at large thereafter.

5 (Source: P.A. 86-1478.)

6 (705 ILCS 35/2f-2)

7 Sec. 2f-2. 19th judicial circuit; subcircuits.

8 (a) The 19th circuit shall be divided into 6 subcircuits.
9 The subcircuits shall be compact, contiguous, and
10 substantially equal in population. The General Assembly by law
11 shall create the subcircuits, using population data as
12 determined by the 2000 federal census, and shall determine a
13 numerical order for the 6 subcircuits. That numerical order
14 shall be the basis for the order in which resident judgeships
15 are assigned to the subcircuits. Once a resident judgeship is
16 assigned to a subcircuit, it shall continue to be assigned to
17 that subcircuit for all purposes.

18 (b) The 19th circuit shall have a total of 6 resident
19 judgeships. The number of resident judgeships allotted to
20 subcircuits of the 19th judicial circuit pursuant to this
21 Section shall constitute all the resident judgeships of the
22 19th judicial circuit.

23 (c) The Supreme Court shall allot (i) all vacancies in
24 resident judgeships of the 19th circuit existing on or
25 occurring on or after the effective date of this amendatory Act

1 of the 93rd General Assembly and not filled at the 2004 general
2 election and (ii) the resident judgeships of the 19th circuit
3 filled at the 2004 general election as those judgeships
4 thereafter become vacant, for election from the various
5 subcircuits until there is one resident judge to be elected
6 from each subcircuit. No resident judge of the 19th circuit
7 serving on the effective date of this amendatory Act of the
8 93rd General Assembly shall be required to change his or her
9 residency in order to continue serving in office or to seek
10 retention in office as resident judgeships are allotted by the
11 Supreme Court in accordance with this Section.

12 (d) A resident judge elected from a subcircuit shall
13 continue to reside in that subcircuit as long as he or she
14 holds that office. A resident judge elected from a subcircuit
15 after January 1, 2008, must retain residency as a registered
16 voter in the subcircuit to run for retention from the circuit
17 at large thereafter.

18 (e) Vacancies in resident judgeships of the 19th circuit
19 shall be filled in the manner provided in Article VI of the
20 Illinois Constitution.

21 (Source: P.A. 93-541, eff. 8-18-03; 93-1040, eff. 9-28-04;
22 93-1102, eff. 4-7-05; 94-727, eff. 2-14-06.)

23 (705 ILCS 35/2f-4)

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

25 (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, using population data as
4 determined by the 2000 federal census, and shall determine a
5 numerical order for the 5 subcircuits. That numerical order
6 shall be the basis for the order in which resident judgeships
7 are assigned to the subcircuits. Once a resident judgeship is
8 assigned to a subcircuit, it shall continue to be assigned to
9 that subcircuit for all purposes.

10 (a-10) The first vacancy in the 12th judicial circuit's 10
11 existing circuit judgeships (8 at large and 2 resident), but
12 not in the additional judgeships described in subsections (b)
13 and (b-5), that exists on or after the effective date of this
14 amendatory Act of the 94th General Assembly shall not be
15 filled, by appointment or election, and that judgeship is
16 eliminated. Of the 12th judicial circuit's 10 existing circuit
17 judgeships (8 at large and 2 resident), but not the additional
18 judgeships described in subsections (b) and (b-5), the second
19 to be vacant or become vacant on or after the effective date of
20 this amendatory Act of the 94th General Assembly shall be
21 allotted as a 12th circuit resident judgeship under subsection
22 (c). As used in this subsection, a vacancy does not include the
23 expiration of a term of an at large or resident judge who seeks
24 retention in that office at the next term.

25 (b) The 12th circuit shall have 3 additional resident
26 judgeships, as well as its existing resident judgeship or

1 judgeships, and existing at large judgeships, for a total of 12
2 judgeships available to be allotted under subsection (c) to the
3 5 subcircuit resident judgeships. The additional resident
4 judgeship created by Public Act 93-541 shall be filled by
5 election beginning at the general election in 2006. The 2
6 additional resident judgeships created by this amendatory Act
7 of 2004 shall be filled by election beginning at the general
8 election in 2008. After the subcircuits are created by law, the
9 Supreme Court may fill by appointment the additional resident
10 judgeships created by Public Act 93-541 and this amendatory Act
11 of 2004 until the 2006 or 2008 general election, as the case
12 may be.

13 (b-5) In addition to the number of circuit judges and
14 resident judges otherwise authorized by law, and
15 notwithstanding any other provision of law, beginning on April
16 1, 2006 there shall be one additional resident judge who is a
17 resident of and elected from the fourth judicial subcircuit of
18 the 12th judicial circuit. That additional resident judgeship
19 may be filled by appointment by the Supreme Court until filled
20 by election at the general election in 2008, regardless of
21 whether the judgeships for subcircuits 1, 2, and 3 have been
22 filled.

23 (c) The Supreme Court shall allot (i) the additional
24 resident judgeships of the 12th circuit created by Public Act
25 93-541 and this amendatory Act of 2004, and (ii) the second
26 vacancy in the at large and resident judgeships of the 12th

1 circuit as provided in subsection (a-10), for election from the
2 various subcircuits until, with the additional judge of the
3 fourth subcircuit described in subsection (b-5), there is one
4 resident judge to be elected from each subcircuit. No at large
5 or resident judge of the 12th circuit serving on August 18,
6 2003 shall be required to change his or her residency in order
7 to continue serving in office or to seek retention in office as
8 at large or resident judgeships are allotted by the Supreme
9 Court in accordance with this Section.

10 (d) A resident judge elected from a subcircuit shall
11 continue to reside in that subcircuit as long as he or she
12 holds that office. A resident judge elected from a subcircuit
13 after January 1, 2008, must retain residency as a registered
14 voter in the subcircuit to run for retention from the circuit
15 at large thereafter.

16 (e) Vacancies in resident judgeships of the 12th circuit
17 shall be filled in the manner provided in Article VI of the
18 Illinois Constitution.

19 (Source: P.A. 93-541, eff. 8-18-03; 93-1040, eff. 9-28-04;
20 93-1102, eff. 4-7-05; 94-727, eff. 2-14-06.)

21 (705 ILCS 35/2f-5)

22 Sec. 2f-5. 22nd circuit; subcircuits; additional resident
23 judgeship.

24 (a) The 22nd circuit shall be divided into 4 subcircuits.
25 The subcircuits shall be compact, contiguous, and

1 substantially equal in population. The General Assembly by law
2 shall create the subcircuits, using population data as
3 determined by the 2000 federal census, and shall determine a
4 numerical order for the 4 subcircuits. That numerical order
5 shall be the basis for the order in which resident judgeships
6 are assigned to the subcircuits. Once a resident judgeship is
7 assigned to a subcircuit, it shall continue to be assigned to
8 that subcircuit for all purposes.

9 (b) The 22nd circuit shall have one additional resident
10 judgeship, as well as its 3 existing resident judgeships, for a
11 total of 4 resident judgeships to be allotted to the 4
12 subcircuit resident judgeships. The additional resident
13 judgeship created by this amendatory Act of the 93rd General
14 Assembly shall be filled by election beginning at the general
15 election in 2006 and shall not be filled by appointment before
16 the general election in 2006. The number of resident judgeships
17 allotted to subcircuits of the 22nd judicial circuit pursuant
18 to this Section shall constitute all the resident judgeships of
19 the 22nd judicial circuit.

20 (c) The Supreme Court shall allot (i) all vacancies in
21 resident judgeships of the 22nd circuit existing on or
22 occurring on or after August 18, 2003 and not filled at the
23 2004 general election, (ii) the resident judgeships of the 22nd
24 circuit filled at the 2004 general election as those judgeships
25 thereafter become vacant, and (iii) the additional resident
26 judgeship of the 22nd circuit created by this amendatory Act of

1 the 93rd General Assembly, for election from the various
2 subcircuits until there is one resident judge to be elected
3 from each subcircuit. No resident judge of the 22nd circuit
4 serving on August 18, 2003 shall be required to change his or
5 her residency in order to continue serving in office or to seek
6 retention in office as resident judgeships are allotted by the
7 Supreme Court in accordance with this Section.

8 (d) A resident judge elected from a subcircuit shall
9 continue to reside in that subcircuit as long as he or she
10 holds that office. A resident judge elected from a subcircuit
11 after January 1, 2008, must retain residency as a registered
12 voter in the subcircuit to run for retention from the circuit
13 at large thereafter.

14 (e) Vacancies in resident judgeships of the 22nd circuit
15 shall be filled in the manner provided in Article VI of the
16 Illinois Constitution.

17 (Source: P.A. 93-541, eff. 8-18-03; 93-1040, eff. 9-28-04;
18 93-1102, eff. 4-7-05; 94-727, eff. 2-14-06.)

19 (705 ILCS 35/2f-6)

20 Sec. 2f-6. 17th judicial circuit; subcircuits.

21 (a) The 17th circuit shall be divided into 4 subcircuits.
22 The subcircuits shall be compact, contiguous, and
23 substantially equal in population. The General Assembly by law
24 shall create the subcircuits, using population data as
25 determined by the 2000 federal census, and shall determine a

1 numerical order for the 4 subcircuits. That numerical order
2 shall be the basis for the order in which resident judgeships
3 are assigned to the subcircuits. Once a resident judgeship is
4 assigned to a subcircuit, it shall continue to be assigned to
5 that subcircuit for all purposes.

6 (a-10) Of the 17th circuit's 9 existing circuit judgeships
7 (6 at large and 3 resident), the 3 resident judgeships shall be
8 allotted as 17th circuit resident judgeships under subsection
9 (c) as those resident judgeships are or become vacant on or
10 after the effective date of this amendatory Act of the 93rd
11 General Assembly. Of the 17th circuit's associate judgeships,
12 the first associate judgeship that is or becomes vacant on or
13 after the effective date of this amendatory Act of the 93rd
14 General Assembly shall become a resident judgeship of the 17th
15 circuit to be allotted by the Supreme Court under subsection
16 (c) as a resident subcircuit judgeship. These resident
17 judgeships shall constitute all of the resident judgeships of
18 the 17th circuit. As used in this subsection, a vacancy does
19 not include the expiration of a term of a resident judge who
20 seeks retention in that office at the next term. A vacancy does
21 not exist or occur at the expiration of an associate judge's
22 term if the associate judge is reappointed.

23 (b) The 17th circuit shall have a total of 4 judgeships (3
24 resident and one associate) available to be allotted to the 4
25 subcircuit resident judgeships.

26 (c) The Supreme Court shall allot (i) the 3 resident

1 judgeships of the 17th circuit as they are or become vacant as
2 provided in subsection (a-10) and (ii) the one associate
3 judgeship converted into a resident judgeship of the 17th
4 circuit as it is or becomes vacant as provided in subsection
5 (a-10), for election from the various subcircuits until there
6 is one resident judge to be elected from each subcircuit. No
7 resident or associate judge of the 17th circuit serving on the
8 effective date of this amendatory Act of the 93rd General
9 Assembly shall be required to change his or her residency in
10 order to continue serving in office or to seek retention or
11 reappointment in office as resident judgeships are allotted by
12 the Supreme Court in accordance with this Section.

13 (d) A resident judge elected from a subcircuit shall
14 continue to reside in that subcircuit as long as he or she
15 holds that office. A resident judge elected from a subcircuit
16 after January 1, 2008, must retain residency as a registered
17 voter in the subcircuit to run for retention from the circuit
18 at large thereafter.

19 (e) Vacancies in resident judgeships of the 17th circuit
20 shall be filled in the manner provided in Article VI of the
21 Illinois Constitution.

22 (Source: P.A. 93-1102, eff. 4-7-05.)

23 (705 ILCS 35/2f-9)

24 Sec. 2f-9. 16th judicial circuit; subcircuits.

25 (a) The 16th 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, using population data as
4 determined by the 2000 federal census, and shall determine a
5 numerical order for the 5 subcircuits. That numerical order
6 shall be the basis for the order in which resident judgeships
7 are assigned to the subcircuits. Once a resident judgeship is
8 assigned to a subcircuit, it shall continue to be assigned to
9 that subcircuit for all purposes.

10 (b) Of the 16th circuit's 16 existing circuit judgeships (7
11 at large and 9 resident), 5 of the 9 resident judgeships shall
12 be allotted as 16th circuit resident judgeships under
13 subsection (c) as (i) the first resident judgeship of DeKalb
14 County, (ii) the first resident judgeship of Kendall County,
15 and (iii) the first 2 resident judgeships of Kane County are or
16 become vacant on or after the effective date of this amendatory
17 Act of the 93rd General Assembly, and (iv) the first resident
18 judgeship of Kane County (in addition to the 2 vacancies under
19 item (iii)) is or becomes vacant after the effective date of
20 this amendatory Act of the 94th General Assembly. These 5
21 resident subcircuit judgeships and the remaining 4 resident
22 judgeships shall constitute all of the resident judgeships of
23 the 16th circuit. As used in this subsection, a vacancy does
24 not include the expiration of a term of a resident judge who
25 seeks retention in that office at the next term.

26 (c) The Supreme Court shall allot the first DeKalb County

1 vacancy, the first Kendall County vacancy, and the first 3 Kane
2 County vacancies in resident judgeships of the 16th circuit as
3 provided in subsection (b), for election from the various
4 subcircuits. The judgeships shall be assigned to the
5 subcircuits based upon the numerical order of the 5
6 subcircuits. No resident judge of the 16th circuit serving on
7 the effective date of this amendatory Act of the 93rd General
8 Assembly shall be required to change his or her residency in
9 order to continue serving in office or to seek retention in
10 office as judgeships are allotted by the Supreme Court in
11 accordance with this Section.

12 (d) A resident judge elected from a subcircuit shall
13 continue to reside in that subcircuit as long as he or she
14 holds that office. A resident judge elected from a subcircuit
15 after January 1, 2008, must retain residency as a registered
16 voter in the subcircuit to run for retention from the circuit
17 at large thereafter.

18 (e) Vacancies in resident judgeships of the 16th circuit
19 shall be filled in the manner provided in Article VI of the
20 Illinois Constitution.

21 (Source: P.A. 93-1102, eff. 4-7-05; 94-3, eff. 5-31-05.)

22 Section 99. Effective date. This Act takes effect upon
23 becoming law."