



Executive Committee

## Adopted in House Comm. on Aug 02, 2007

09500SB0997ham001

LRB095 05863 JAM 38384 a

1 AMENDMENT TO SENATE BILL 997

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 997 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-6 and 2f-9 and by adding Sections 2k, 2k-1, 2k-2,  
6 and 2k-3 as follows:

7 (705 ILCS 35/2f-6)

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

9 (a) The 17th circuit shall be divided into 4 subcircuits.

10 The subcircuits shall be compact, contiguous, and  
11 substantially equal in population. The General Assembly by law  
12 shall create the subcircuits, using population data as  
13 determined by the 2000 federal census, and shall determine a  
14 numerical order for the 4 subcircuits. That numerical order  
15 shall be the basis for the order in which resident judgeships  
16 are assigned to the subcircuits. Once a resident judgeship is

1 assigned to a subcircuit, it shall continue to be assigned to  
2 that subcircuit for all purposes.

3 (a-10) Of the 17th circuit's 9 ~~existing~~ circuit judgeships  
4 existing on April 7, 2005 (6 at large and 3 resident), but not  
5 including the one resident judgeship added by this amendatory  
6 Act of the 95th General Assembly, the 3 resident judgeships  
7 shall be allotted as 17th circuit resident judgeships under  
8 subsection (c) as those resident judgeships are or become  
9 vacant on or after the effective date of this amendatory Act of  
10 the 93rd General Assembly. Of the 17th circuit's associate  
11 judgeships, the first associate judgeship that is or becomes  
12 vacant on or after the effective date of this amendatory Act of  
13 the 93rd General Assembly shall become a resident judgeship of  
14 the 17th circuit to be allotted by the Supreme Court under  
15 subsection (c) as a resident subcircuit judgeship. These  
16 resident judgeships, and the one resident judgeship added by  
17 this amendatory Act of the 95th General Assembly, shall  
18 constitute all of the resident judgeships of the 17th circuit.  
19 As used in this subsection, a vacancy does not include the  
20 expiration of a term of a resident judge who seeks retention in  
21 that office at the next term. A vacancy does not exist or occur  
22 at the expiration of an associate judge's term if the associate  
23 judge is reappointed.

24 (b) The 17th circuit shall have a total of 4 judgeships (3  
25 resident judgeships existing on April 7, 2005 and one associate  
26 judgeship), but not including the one resident judgeship added

1 by this amendatory Act of the 95th General Assembly, available  
2 to be allotted to the 4 subcircuit resident judgeships.

3 (c) The Supreme Court shall allot (i) the 3 resident  
4 judgeships of the 17th circuit existing on April 7, 2005 as  
5 they are or become vacant as provided in subsection (a-10) and  
6 (ii) the one associate judgeship converted into a resident  
7 judgeship of the 17th circuit as it is or becomes vacant as  
8 provided in subsection (a-10), for election from the various  
9 subcircuits until there is one resident judge to be elected  
10 from each subcircuit. No resident or associate judge of the  
11 17th circuit serving on the effective date of this amendatory  
12 Act of the 93rd General Assembly shall be required to change  
13 his or her residency in order to continue serving in office or  
14 to seek retention or reappointment in office as resident  
15 judgeships are allotted by the Supreme Court in accordance with  
16 this Section.

17 (d) A resident judge elected from a subcircuit shall  
18 continue to reside in that subcircuit as long as he or she  
19 holds that office.

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

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

24 (705 ILCS 35/2f-9)

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

1 (a) The 16th circuit shall be divided into 5 subcircuits.  
2 The subcircuits shall be compact, contiguous, and  
3 substantially equal in population. The General Assembly by law  
4 shall create the subcircuits, using population data as  
5 determined by the 2000 federal census, and shall determine 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 (b) Of the 16th circuit's 16 ~~existing~~ circuit judgeships  
12 existing on April 7, 2005 (7 at large and 9 resident), but not  
13 including the 2 resident judgeships added by this amendatory  
14 Act of the 95th General Assembly, 5 of the 9 resident  
15 judgeships shall be allotted as 16th circuit resident  
16 judgeships under subsection (c) as (i) the first resident  
17 judgeship of DeKalb County, (ii) the first resident judgeship  
18 of Kendall County, and (iii) the first 2 resident judgeships of  
19 Kane County are or become vacant on or after the effective date  
20 of this amendatory Act of the 93rd General Assembly, and (iv)  
21 the first resident judgeship of Kane County (in addition to the  
22 2 vacancies under item (iii)) is or becomes vacant after the  
23 effective date of this amendatory Act of the 94th General  
24 Assembly. These 5 resident subcircuit judgeships and the  
25 remaining 6 ~~4~~ resident judgeships shall constitute all of the  
26 resident judgeships of the 16th circuit. As used in this

1 subsection, a vacancy does not include the expiration of a term  
2 of a resident judge who seeks retention in that office at the  
3 next term.

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

16 (d) A resident judge elected from a subcircuit shall  
17 continue to reside in that subcircuit as long as he or she  
18 holds that office.

19 (e) Vacancies in resident judgeships of the 16th 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; 94-3, eff. 5-31-05.)

23 (705 ILCS 35/2k new)

24 Sec. 2k. Additional 17th circuit resident judge. In  
25 addition to the number of circuit judges otherwise authorized

1 by this Act, there shall be one additional judge elected in the  
2 17th judicial circuit who shall be a resident of and elected  
3 from Boone County. The additional resident circuit judgeship  
4 created by this Section may be filled by appointment by the  
5 Illinois Supreme Court until the judgeship is filled by  
6 election beginning at the 2008 general election. The judgeship  
7 provided by this Section shall not be a subcircuit judgeship.

8 (705 ILCS 35/2k-1 new)

9 Sec. 2k-1. Additional 16th circuit resident judge; DeKalb  
10 County. In addition to the number of circuit judges otherwise  
11 authorized by this Act, there shall be one additional judge  
12 elected in the 16th judicial circuit who shall be a resident of  
13 and elected from DeKalb County. The additional resident circuit  
14 judgeship created by this Section may be filled by appointment  
15 by the Illinois Supreme Court until the judgeship is filled by  
16 election beginning at the 2008 general election. The judgeship  
17 provided by this Section shall not be a subcircuit judgeship.

18 (705 ILCS 35/2k-2 new)

19 Sec. 2k-2. Additional 16th circuit resident judge; Kendall  
20 County. In addition to the number of circuit judges otherwise  
21 authorized by this Act, there shall be one additional judge  
22 elected in the 16th judicial circuit who shall be a resident of  
23 and elected from Kendall County. The additional resident  
24 circuit judgeship created by this Section may be filled by

1 appointment by the Illinois Supreme Court until the judgeship  
2 is filled by election beginning at the 2008 general election.  
3 The judgeship provided by this Section shall not be a  
4 subcircuit judgeship.

5 (705 ILCS 35/2k-3 new)

6 Sec. 2k-3. Additional 13th circuit judge. In addition to  
7 the number of circuit judges otherwise authorized by this Act,  
8 there shall be one additional judge elected in the 13th  
9 judicial circuit who shall be a resident of and elected from  
10 Grundy County. The additional judgeship created by this Section  
11 may be filled by appointment by the Illinois Supreme Court  
12 until the judgeship is filled by election beginning at the 2008  
13 general election.

14 Section 99. Effective date. This Act takes effect upon  
15 becoming law.".