



Rep. Tom Cross

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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-2, 2f-5, 2f-6, and 2f-9 and by adding Sections 2k,
6 2k-1, 2k-2, 2k-3, and 2k-4 as follows:

7 (705 ILCS 35/2f-2)

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

9 (a) The 19th circuit shall be divided into 6 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 6 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-5) The first vacancy in the 19th judicial circuit's 6
4 existing circuit judgeships, but not in the additional
5 judgeship described in subsection (b-5), that exists on or
6 after the effective date of this amendatory Act of the 95th
7 General Assembly shall not be filled, by appointment or
8 election, and that judgeship is eliminated. Of the 19th
9 judicial circuit's 6 existing circuit judgeships, but not the
10 additional judgeship described in subsection (b-5), the second
11 and subsequent to be vacant or become vacant on or after the
12 effective date of this amendatory Act of the 95th General
13 Assembly shall be allotted as 19th circuit resident judgeships
14 under subsection (c). As used in this subsection, a vacancy
15 does not include the expiration of a term of a resident judge
16 who seeks retention in that office at the next term.

17 (b) The 19th circuit shall have a total of 6 resident
18 judgeships, except as provided in subsections (a-5) and (b-5).
19 The number of resident judgeships allotted to subcircuits of
20 the 19th judicial circuit pursuant to this Section shall
21 constitute all the resident judgeships of the 19th judicial
22 circuit, except as provided in subsections (a-5) and (b-5).

23 (b-5) In addition to the number of circuit judges and
24 resident judges otherwise authorized by law, and
25 notwithstanding any other provision of law, beginning on August
26 7, 2007 there shall be one additional resident judge who is a

1 resident of and elected from the 3rd judicial subcircuit of the
2 19th judicial circuit. That additional resident judgeship may
3 be filled by appointment by the Illinois Supreme Court until
4 filled by election at the general election in 2008, regardless
5 of whether the judgeships for subcircuits 1 and 2 have been
6 filled.

7 (c) The Supreme Court shall allot, other than the vacant
8 resident judgeship eliminated pursuant to subsection (a-5),

9 (i) all vacancies in resident judgeships of the 19th circuit
10 existing on or occurring on or after the effective date of this
11 amendatory Act of the 93rd General Assembly and not filled at
12 the 2004 general election and (ii) the resident judgeships of
13 the 19th circuit filled at the 2004 general election as those
14 judgeships thereafter become vacant, for election from the
15 various subcircuits until, with the judge of the 3rd subcircuit
16 described in subsection (b-5), there is one resident judge to
17 be elected from each subcircuit. No resident judge of the 19th
18 circuit serving on the effective date of this amendatory Act of
19 the 93rd General Assembly shall be required to change his or
20 her residency in order to continue serving in office or to seek
21 retention in office as resident judgeships are allotted by the
22 Supreme Court in accordance with this Section.

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

26 (e) Vacancies in resident judgeships of the 19th circuit

1 shall be filled in the manner provided in Article VI of the
2 Illinois Constitution.

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

5 (705 ILCS 35/2f-5)

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

8 (a) The 22nd circuit shall be divided into 4 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 4 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) Other than the resident judgeship added by this
19 amendatory Act of the 95th General Assembly, the ~~The~~ 22nd
20 circuit shall have one additional resident judgeship, as well
21 as its 3 existing resident judgeships, for a total of 4
22 resident judgeships to be allotted to the 4 subcircuit resident
23 judgeships. The additional resident judgeship created by this
24 amendatory Act of the 93rd General Assembly shall be filled by
25 election beginning at the general election in 2006 and shall

1 not be filled by appointment before the general election in
2 2006. The number of resident judgeships allotted to subcircuits
3 of the 22nd judicial circuit pursuant to this Section, and the
4 resident judgeship added by this amendatory Act of the 95th
5 General Assembly, shall constitute all the resident judgeships
6 of the 22nd judicial circuit.

7 (c) The Supreme Court shall allot (i) all eligible
8 vacancies in resident judgeships of the 22nd circuit existing
9 on or occurring on or after August 18, 2003 and not filled at
10 the 2004 general election, (ii) the resident judgeships of the
11 22nd circuit filled at the 2004 general election as those
12 judgeships thereafter become vacant, and (iii) the additional
13 resident judgeship of the 22nd circuit created by this
14 amendatory Act of the 93rd General Assembly, for election from
15 the various subcircuits until there is one resident judge to be
16 elected from each subcircuit. No resident judge of the 22nd
17 circuit serving on August 18, 2003 shall be required to change
18 his or her residency in order to continue serving in office or
19 to seek retention in office as resident judgeships are allotted
20 by the Supreme Court in accordance with this Section.

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

24 (e) Vacancies in resident judgeships of the 22nd circuit
25 shall be filled in the manner provided in Article VI of the
26 Illinois Constitution.

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

3 (705 ILCS 35/2f-6)

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

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

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

15 (a-10) Of the 17th circuit's 9 ~~existing~~ circuit judgeships
16 existing on April 7, 2005 (6 at large and 3 resident), but not
17 including the one resident judgeship added by this amendatory
18 Act of the 95th General Assembly, the 3 resident judgeships
19 shall be allotted as 17th circuit resident judgeships under
20 subsection (c) as those resident judgeships are or become
21 vacant on or after the effective date of this amendatory Act of
22 the 93rd General Assembly. Of the 17th circuit's associate
23 judgeships, the first associate judgeship that is or becomes
24 vacant on or after the effective date of this amendatory Act of
25 the 93rd General Assembly shall become a resident judgeship of

1 the 17th circuit to be allotted by the Supreme Court under
2 subsection (c) as a resident subcircuit judgeship. These
3 resident judgeships, and the one resident judgeship added by
4 this amendatory Act of the 95th General Assembly, shall
5 constitute all of the resident judgeships of the 17th circuit.
6 As used in this subsection, a vacancy does not include the
7 expiration of a term of a resident judge who seeks retention in
8 that office at the next term. A vacancy does not exist or occur
9 at the expiration of an associate judge's term if the associate
10 judge is reappointed.

11 (b) The 17th circuit shall have a total of 4 judgeships (3
12 resident judgeships existing on April 7, 2005 and one associate
13 judgeship), but not including the one resident judgeship added
14 by this amendatory Act of the 95th General Assembly, available
15 to be allotted to the 4 subcircuit resident judgeships.

16 (c) The Supreme Court shall allot (i) the 3 resident
17 judgeships of the 17th circuit existing on April 7, 2005 as
18 they are or become vacant as provided in subsection (a-10) and
19 (ii) the one associate judgeship converted into a resident
20 judgeship of the 17th circuit as it is or becomes vacant as
21 provided in subsection (a-10), for election from the various
22 subcircuits until there is one resident judge to be elected
23 from each subcircuit. No resident or associate judge of the
24 17th circuit serving on the effective date of this amendatory
25 Act of the 93rd General Assembly shall be required to change
26 his or her residency in order to continue serving in office or

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

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

7 (e) Vacancies in resident judgeships of the 17th circuit
8 shall be filled in the manner provided in Article VI of the
9 Illinois Constitution.

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

11 (705 ILCS 35/2f-9)

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

13 (a) The 16th circuit shall be divided into 5 subcircuits.
14 The subcircuits shall be compact, contiguous, and
15 substantially equal in population. The General Assembly by law
16 shall create the subcircuits, using population data as
17 determined by the 2000 federal census, and shall determine a
18 numerical order for the 5 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 (b) Of the 16th circuit's 16 ~~existing~~ circuit judgeships
24 existing on April 7, 2005 (7 at large and 9 resident), but not
25 including the 2 resident judgeships added by this amendatory

1 Act of the 95th General Assembly, 5 of the 9 resident
2 judgeships shall be allotted as 16th circuit resident
3 judgeships under subsection (c) as (i) the first resident
4 judgeship of DeKalb County, (ii) the first resident judgeship
5 of Kendall County, and (iii) the first 2 resident judgeships of
6 Kane County are or become vacant on or after the effective date
7 of this amendatory Act of the 93rd General Assembly, and (iv)
8 the first resident judgeship of Kane County (in addition to the
9 2 vacancies under item (iii)) is or becomes vacant after the
10 effective date of this amendatory Act of the 94th General
11 Assembly. These 5 resident subcircuit judgeships and the
12 remaining 6 4 resident judgeships shall constitute all of the
13 resident judgeships of the 16th circuit. As used in this
14 subsection, a vacancy does not include the expiration of a term
15 of a resident judge who seeks retention in that office at the
16 next term.

17 (c) The Supreme Court shall allot the first eligible DeKalb
18 County vacancy, the first eligible Kendall County vacancy, and
19 the first 3 Kane County vacancies in resident judgeships of the
20 16th circuit as provided in subsection (b), for election from
21 the various subcircuits. The judgeships shall be assigned to
22 the subcircuits based upon the numerical order of the 5
23 subcircuits. No resident judge of the 16th circuit serving on
24 the effective date of this amendatory Act of the 93rd General
25 Assembly shall be required to change his or her residency in
26 order to continue serving in office or to seek retention in

1 office as judgeships are allotted by the Supreme Court in
2 accordance with this Section.

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

6 (e) Vacancies in resident judgeships of the 16th circuit
7 shall be filled in the manner provided in Article VI of the
8 Illinois Constitution.

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

10 (705 ILCS 35/2k new)

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

20 (705 ILCS 35/2k-1 new)

21 Sec. 2k-1. Additional 16th circuit resident judge; DeKalb
22 County. In addition to the number of circuit judges otherwise
23 authorized by this Act, there shall be one additional judge
24 elected in the 16th judicial circuit who shall be a resident of

1 and elected from DeKalb County. The additional resident circuit
2 judgeship created by this Section may be filled by appointment
3 by the Illinois Supreme Court until the judgeship is filled by
4 election beginning at the 2008 general election. The judgeship
5 provided by this Section shall not be a subcircuit judgeship.

6 (705 ILCS 35/2k-2 new)

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

17 (705 ILCS 35/2k-3 new)

18 Sec. 2k-3. Additional 13th circuit judge. In addition to
19 the number of circuit judges otherwise authorized by this Act,
20 there shall be one additional judge elected in the 13th
21 judicial circuit who shall be a resident of and elected from
22 Grundy County. The additional judgeship created by this Section
23 may be filled by appointment by the Illinois Supreme Court
24 until the judgeship is filled by election beginning at the 2008

1 general election.

2 (705 ILCS 35/2k-4 new)

3 Sec. 2k-4. Additional 22nd circuit resident judge. In
4 addition to the number of circuit judges otherwise authorized
5 by this Act, there shall be one additional judge elected in the
6 22nd judicial circuit who shall be a resident of and elected
7 from McHenry County. The additional resident circuit judgeship
8 created by this Section may be filled by appointment by the
9 Illinois Supreme Court until the judgeship is filled by
10 election beginning at the 2008 general election. The judgeship
11 provided by this Section shall not be a subcircuit judgeship.

12 Section 10. The Associate Judges Act is amended by adding
13 Section 2.2 as follows:

14 (705 ILCS 45/2.2 new)

15 Sec. 2.2. Additional associate judges; 3rd and 20th
16 circuits. In addition to the number of associate judges
17 authorized under Section 2 of this Act, there shall be one
18 additional associate judge appointed in the 3rd circuit and one
19 additional associate judge appointed in the 20th circuit.

20 Section 99. Effective date. This Act takes effect upon
21 becoming law."