

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, 2f-2, 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, except those at large

1 judgeships that become resident judgeships as provided in
2 subsection (a-5) of Section 2f-2. The 2 assigned to the 22nd
3 circuit shall continue to be elected at large.

4 (b-5) Except as provided in subsection (b-10), the number
5 of at large judgeships of the 19th judicial circuit shall be
6 the number of at large judgeships specified for ~~assigned to~~ the
7 19th judicial circuit pursuant to subsection (b) plus only the
8 judgeship designated as vacancy A by the State Board of
9 Elections filled at the 2006 general election. If, before, on,
10 or after the effective date of this amendatory Act of the 94th
11 General Assembly, the State Board of Elections has certified or
12 certifies one or more candidates for a judgeship of the 19th
13 judicial circuit designated as vacancy B or C by the State
14 Board of Elections, then all such certifications are revoked
15 and are null and void by operation of law and the names of any
16 such candidates shall not appear upon the 2006 general primary
17 ballot or the 2006 general election ballot for any of those
18 judgeships. Except as provided in subsection (b-10), the number
19 of at large judgeships of the 22nd judicial circuit shall be
20 the number of at large judgeships assigned to the 22nd judicial
21 circuit pursuant to subsection (b) plus only the judgeship
22 designated as vacancy A by the State Board of Elections filled
23 at the 2006 general election. If, before, on, or after the
24 effective date of this amendatory Act of the 94th General
25 Assembly, the State Board of Elections has certified or
26 certifies one or more candidates for the judgeship of the 22nd

1 judicial circuit designated as vacancy B by the State Board of
2 Elections, then any such certifications are revoked and are
3 null and void by operation of law and the names of any such
4 candidates shall not appear upon the 2006 general primary
5 ballot or the 2006 general election ballot for that judgeship.

6 (b-10) If this amendatory Act of the 94th General Assembly
7 is held unconstitutional and as a result the judgeships
8 designated by the State Board of Elections as vacancies A, B,
9 and C of the 19th judicial circuit are filled at the 2006
10 general election, then the number of at large judgeships of the
11 19th judicial circuit shall be only the number of at large
12 judgeships specified for ~~assigned to~~ the 19th judicial circuit
13 pursuant to subsection (b). If this amendatory Act of the 94th
14 General Assembly is held unconstitutional and as a result the
15 judgeships designated by the State Board of Elections as
16 vacancies A and B of the 22nd judicial circuit are filled at
17 the 2006 general election, then the number of at large
18 judgeships of the 22nd judicial circuit shall be only the
19 number of at large judgeships assigned to the 22nd judicial
20 circuit pursuant to subsection (b).

21 (b-15) If subsection (b-10) applies, then each vacancy
22 occurring in an at large judgeship of the 19th judicial circuit
23 on or after the holding of unconstitutionality shall not be
24 filled by any means and each of those vacant judgeships is
25 abolished, until the number of at large judgeships of the 19th
26 judicial circuit returns to the number of at large judgeships

1 specified for the 19th judicial circuit by subsection (b-10).
2 If subsection (b-10) applies, then each vacancy occurring in an
3 at large judgeship of the 22nd judicial circuit on or after the
4 holding of unconstitutionality shall not be filled by any means
5 and each of those vacant judgeships is abolished, until the
6 number of at large judgeships of the 22nd judicial circuit
7 returns to the number of at large judgeships specified for the
8 22nd judicial circuit by subsection (b-10).

9 (c) The 6 resident judgeships elected from Lake County
10 before the general election in 2006 shall become resident
11 judgeships in the 19th circuit on December 4, 2006, and the 3
12 resident judgeships elected from McHenry County before the
13 general election in 2006 shall become resident judgeships in
14 the 22nd circuit on December 4, 2006.

15 (d) On December 4, 2006, the Supreme Court shall allocate
16 the associate judgeships of the 19th circuit before that date
17 between the 19th and 22nd circuits based on the residency of
18 the associate judges; however, the number of associate judges
19 allocated to the 19th circuit shall be no less than the number
20 of associate judges residing in Lake County on March 22, 2004.

21 (e) On December 4, 2006, the Supreme Court shall allocate
22 personnel, books, records, documents, property (real and
23 personal), funds, assets, liabilities, and pending matters
24 concerning the 19th circuit before that date between the 19th
25 and 22nd circuits based on the population and staffing needs of
26 those circuits and the efficient and proper administration of

1 the judicial system. The rights of employees under applicable
2 collective bargaining agreements are not affected by this
3 amendatory Act of the 93rd General Assembly.

4 (f) The judgeships set forth in this Section include the
5 judgeships authorized under Sections 2g, 2h, and 2j. The
6 judgeships authorized in those Sections are not in addition to
7 those set forth in this Section.

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

10 (705 ILCS 35/2f-2)

11 Sec. 2f-2. 19th judicial circuit; subcircuits; additional
12 judges.

13 (a) The 19th circuit shall be divided into 6 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 6 subcircuits. That numerical order
19 shall be the basis for the order in which resident judgeships
20 are assigned to the subcircuits. The 6 resident judgeships to
21 be assigned that are not added by or converted from at large
22 judgeships as provided in this amendatory Act of the 96th
23 General Assembly shall be assigned to the 1st, 2nd, 3rd, 4th,
24 5th, and 6th subcircuits, in that order. The 6 resident
25 judgeships to be assigned that are added by or converted from

1 at large judgeships as provided in this amendatory Act of the
2 96th General Assembly shall be assigned to the 1st, 2nd, 3rd,
3 4th, 5th, and 6th subcircuits, in that order. Once a resident
4 judgeship is assigned to a subcircuit, it shall continue to be
5 assigned to that subcircuit for all purposes.

6 (a-5) Of the at large judgeships of the 19th judicial
7 circuit, the first 3 that are or become vacant on or after the
8 effective date of this amendatory Act of the 96th General
9 Assembly shall not be filled by appointment by the Supreme
10 Court but shall become resident judgeships of the 19th judicial
11 circuit to be allotted by the Supreme Court under subsection
12 (c) and filled by election. As used in this subsection, a
13 vacancy does not include the expiration of a term of an at
14 large judge who seeks retention in that office at the next
15 term.

16 (a-10) The 19th judicial circuit shall have 3 additional
17 resident judgeships to be allotted by the Supreme Court under
18 subsection (c). One of the additional resident judgeships shall
19 be filled by election beginning at the 2010 general election.
20 Two of the additional resident judgeships shall be filled by
21 election beginning at the 2012 general election. None of the
22 additional resident judgeships shall be filled by appointment
23 by the Supreme Court before being filled initially by election.

24 (b) The 19th circuit shall have a total of 12 ~~6~~ resident
25 judgeships (6 resident judgeships existing on the effective
26 date of this amendatory Act of the 96th General Assembly, 3

1 formerly at large judgeships as provided in subsection (a-5),
2 and 3 resident judgeships added by subsection (a-10)). The
3 number of resident judgeships allotted to subcircuits of the
4 19th judicial circuit pursuant to this Section shall constitute
5 all the resident judgeships of the 19th judicial circuit.

6 (c) The Supreme Court shall allot (i) all vacancies in
7 resident judgeships of the 19th circuit existing on or
8 occurring on or after the effective date of this amendatory Act
9 of the 93rd General Assembly and not filled at the 2004 general
10 election, ~~and~~ (ii) the resident judgeships of the 19th circuit
11 filled at the 2004 general election as those judgeships
12 thereafter become vacant, (iii) the 3 formerly at large
13 judgeships described in subsection (a-5) as they become
14 available, and (iv) the 3 resident judgeships added by
15 subsection (a-10), for election from the various subcircuits
16 until there are 2 resident judges ~~is one resident judge~~ to be
17 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. A resident judge elected from a subcircuit
26 after January 1, 2008, must retain residency as a registered

1 voter in the subcircuit to run for retention from the circuit
2 at large thereafter.

3 (e) Vacancies in resident judgeships of the 19th circuit
4 shall be filled in the manner provided in Article VI of the
5 Illinois Constitution, except as otherwise provided in this
6 Section.

7 (Source: P.A. 94-727, eff. 2-14-06; 95-610, eff. 9-11-07.)

8 (705 ILCS 35/2f-4)

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

10 (a) The 12th circuit shall be divided into 5 subcircuits.
11 The subcircuits shall be compact, contiguous, and
12 substantially equal in population. The General Assembly by law
13 shall create the subcircuits, using population data as
14 determined by the 2000 federal census, and shall determine a
15 numerical order for the 5 subcircuits. That numerical order
16 shall be the basis for the order in which resident judgeships
17 are assigned to the subcircuits. The first resident judgeship
18 to be assigned after the effective date of this amendatory Act
19 of the 96th General Assembly shall be assigned to the 5th
20 subcircuit. The next 5 resident judgeships to be assigned after
21 the effective date of this amendatory Act of the 96th General
22 Assembly shall be assigned to the 3rd, 4th, 5th, 1st, and 2nd
23 subcircuits, in that order. Once a resident judgeship is
24 assigned to a subcircuit, it shall continue to be assigned to
25 that subcircuit for all purposes.

1 (a-10) The first vacancy in the 12th judicial circuit's 10
2 existing circuit judgeships (8 at large and 2 resident), but
3 not in the additional judgeships described in subsections (b)
4 and (b-5), that exists on or after the effective date of this
5 amendatory Act of the 94th General Assembly shall not be
6 filled, by appointment or election, and that judgeship is
7 eliminated. Of the 12th judicial circuit's 10 existing circuit
8 judgeships (8 at large and 2 resident), but not the additional
9 judgeships described in subsections (b) and (b-5), the second
10 to be vacant or become vacant on or after the effective date of
11 this amendatory Act of the 94th General Assembly shall be
12 allotted as a 12th circuit resident judgeship under subsection
13 (c).

14 (a-15) Of the at large judgeships of the 12th judicial
15 circuit not affected by subsection (a-10), the first 2 that are
16 or become vacant on or after the effective date of this
17 amendatory Act of the 96th General Assembly shall become
18 resident judgeships of the 12th judicial circuit to be allotted
19 by the Supreme Court under subsection (c) and filled by
20 election, except that the Supreme Court may fill those
21 judgeships by appointment for any remainder of a vacated term
22 until the resident judgeships are filled initially by election.

23 (a-20) As used in subsections (a-10) and (a-15) ~~this~~
24 subsection, a vacancy does not include the expiration of a term
25 of an at large or resident judge who seeks retention in that
26 office at the next term.

1 (b) The 12th circuit shall have 6 ~~3~~ additional resident
2 judgeships, as well as its existing resident judgeship or
3 judgeships, and existing at large judgeships, for a total of 15
4 ~~12~~ judgeships available to be allotted under subsection (c) to
5 the 10 ~~5~~ subcircuit resident judgeships. The additional
6 resident judgeship created by Public Act 93-541 shall be filled
7 by election beginning at the general election in 2006. The 2
8 additional resident judgeships created by this amendatory Act
9 of 2004 shall be filled by election beginning at the general
10 election in 2008. The additional resident judgeships created by
11 this amendatory Act of the 96th General Assembly shall be
12 filled by election beginning at the general election in 2010.
13 After the subcircuits are created by law, the Supreme Court may
14 fill by appointment the additional resident judgeships created
15 by Public Act 93-541, ~~and~~ this amendatory Act of 2004, and this
16 amendatory Act of the 96th General Assembly until the 2006, ~~or~~
17 2008, or 2010 general election, as the case may be.

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

1 filled.

2 (c) The Supreme Court shall allot (i) the additional
3 resident judgeships of the 12th circuit created by Public Act
4 93-541, ~~and~~ this amendatory Act of 2004, and this amendatory
5 Act of the 96th General Assembly, ~~and~~ (ii) the second vacancy
6 in the at large and resident judgeships of the 12th circuit as
7 provided in subsection (a-10), and (iii) the 2 formerly at
8 large judgeships described in subsection (a-15) as they become
9 available, for election from the various subcircuits until,
10 with the additional judge of the fourth subcircuit described in
11 subsection (b-5), there are 2 ~~is one~~ resident judges ~~judge~~ to
12 be elected from each subcircuit. No at large or resident judge
13 of the 12th circuit serving on August 18, 2003 shall be
14 required to change his or her residency in order to continue
15 serving in office or to seek retention in office as at large or
16 resident judgeships are allotted by the Supreme Court in
17 accordance with this Section.

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

24 (e) Vacancies in resident judgeships of the 12th circuit
25 shall be filled in the manner provided in Article VI of the
26 Illinois Constitution, except as otherwise provided in this

1 Section.

2 (Source: P.A. 94-727, eff. 2-14-06; 95-610, eff. 9-11-07.)

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.