



Rep. Frank J. Mautino

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1 AMENDMENT TO SENATE BILL 1938

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1938, AS AMENDED,  
3 by replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The Circuit Courts Act is amended by changing  
6 Sections 2, 2f-1, 2f-2, 2f-4, 2f-5, 2f-6, and 2f-9 and by  
7 adding Sections 2k, 2m, 2n, 2p, 2q, and 2r as follows:

8 (705 ILCS 35/2) (from Ch. 37, par. 72.2)

9 Sec. 2. Circuit judges shall be elected at the general  
10 elections and for terms as provided in Article VI of the  
11 Illinois Constitution. Ninety-four circuit judges shall be  
12 elected in the Circuit of Cook County and 3 circuit judges  
13 shall be elected in each of the other circuits, but in circuits  
14 other than Cook County containing a population of 230,000 or  
15 more inhabitants and in which there is included a county  
16 containing a population of 200,000 or more inhabitants, or in

1 circuits other than Cook County containing a population of  
2 270,000 or more inhabitants, according to the last preceding  
3 federal census and in the circuit where the seat of State  
4 government is situated at the time fixed by law for the  
5 nomination of judges of the Circuit Court in such circuit and  
6 in any circuit which meets the requirements set out in Section  
7 2a of this Act, 4 circuit judges shall be elected in the manner  
8 provided by law. In circuits other than Cook County in which  
9 each county in the circuit has a population of 475,000 or more,  
10 4 circuit judges shall be elected in addition to the 4 circuit  
11 judges provided for in this Section. In any circuit composed of  
12 2 counties having a total population of 350,000 or more, one  
13 circuit judge shall be elected in addition to the 4 circuit  
14 judges provided for in this Section.

15 Any additional circuit judgeships in the 19th and 22nd  
16 judicial circuits resulting by operation of this Section shall  
17 be filled, if at all, at the general election in 2006 only as  
18 provided in Section 2f-1. Thereafter, however, this Section  
19 shall not apply to the determination of the number of circuit  
20 judgeships in the 19th and 22nd judicial circuits. The number  
21 of circuit judgeships in the 19th judicial circuit shall be  
22 determined thereafter in accordance with Section 2f-1 and  
23 Section 2f-2 and shall be reduced in accordance with those  
24 Sections. The number of circuit judgeships in the 22nd judicial  
25 circuit shall be determined thereafter in accordance with  
26 Section 2f-1 and Section 2f-5 and shall be reduced in

1 accordance with those Sections.

2 Notwithstanding the provisions of this Section or any other  
3 law, the number of at large judgeships of the 12th judicial  
4 circuit may be reduced ~~by one or 2 judgeships~~ as provided in  
5 subsections ~~subsection~~ (a-10) and (a-15) of Section 2f-4.

6 The several judges of the circuit courts of this State,  
7 before entering upon the duties of their office, shall take and  
8 subscribe the following oath or affirmation, which shall be  
9 filed in the office of the Secretary of State:

10 "I do solemnly swear (or affirm, as the case may be) that I  
11 will support the constitution of the United States, and the  
12 constitution of the State of Illinois, and that I will  
13 faithfully discharge the duties of judge of.... court,  
14 according to the best of my ability."

15 One of the 3 additional circuit judgeships authorized by  
16 this amendatory Act in circuits other than Cook County in which  
17 each county in the circuit has a population of 475,000 or more  
18 may be filled when this Act becomes law. The 2 remaining  
19 circuit judgeships in such circuits shall not be filled until  
20 on or after July 1, 1977.

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

22 (705 ILCS 35/2f-1)

23 Sec. 2f-1. 19th and 22nd judicial circuits.

24 (a) On December 4, 2006, the 19th judicial circuit is  
25 divided into the 19th and 22nd judicial circuits as provided in

1 Section 1 of the Circuit Courts Act. This division does not  
2 invalidate any action taken by the 19th judicial circuit or any  
3 of its judges, officers, employees, or agents before December  
4 4, 2006. This division does not affect any person's rights,  
5 obligations, or duties, including applicable civil and  
6 criminal penalties, arising out of any action taken by the 19th  
7 judicial circuit or any of its judges, officers, employees, or  
8 agents before December 4, 2006.

9 (b) Of the 7 circuit judgeships elected at large in the  
10 19th circuit before the general election in 2006, the Supreme  
11 Court shall assign 5 to the 19th circuit and 2 to the 22nd  
12 circuit, based on residency of the circuit judges then holding  
13 those judgeships. The 5 assigned to the 19th circuit shall  
14 continue to be elected at large, except those at large  
15 judgeships that become resident judgeships as provided in  
16 subsection (a-5) of Section 2f-2. The 2 assigned to the 22nd  
17 circuit shall continue to be elected at large.

18 (b-5) Except as provided in subsection (b-10), the number  
19 of at large judgeships of the 19th judicial circuit shall be  
20 the number of at large judgeships specified for ~~assigned to~~ the  
21 19th judicial circuit pursuant to subsection (b) plus only the  
22 judgeship designated as vacancy A by the State Board of  
23 Elections filled at the 2006 general election. If, before, on,  
24 or after the effective date of this amendatory Act of the 94th  
25 General Assembly, the State Board of Elections has certified or  
26 certifies one or more candidates for a judgeship of the 19th

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

20 (b-10) If this amendatory Act of the 94th General Assembly  
21 is held unconstitutional and as a result the judgeships  
22 designated by the State Board of Elections as vacancies A, B,  
23 and C of the 19th judicial circuit are filled at the 2006  
24 general election, then the number of at large judgeships of the  
25 19th judicial circuit shall be only the number of at large  
26 judgeships specified for ~~assigned to~~ the 19th judicial circuit

1 pursuant to subsection (b). If this amendatory Act of the 94th  
2 General Assembly is held unconstitutional and as a result the  
3 judgeships designated by the State Board of Elections as  
4 vacancies A and B of the 22nd judicial circuit are filled at  
5 the 2006 general election, then the number of at large  
6 judgeships of the 22nd judicial circuit shall be only the  
7 number of at large judgeships assigned to the 22nd judicial  
8 circuit pursuant to subsection (b).

9 (b-15) If subsection (b-10) applies, then each vacancy  
10 occurring in an at large judgeship of the 19th judicial circuit  
11 on or after the holding of unconstitutionality shall not be  
12 filled by any means and each of those vacant judgeships is  
13 abolished, until the number of at large judgeships of the 19th  
14 judicial circuit returns to the number of at large judgeships  
15 specified for the 19th judicial circuit by subsection (b-10).  
16 If subsection (b-10) applies, then each vacancy occurring in an  
17 at large judgeship of the 22nd judicial circuit on or after the  
18 holding of unconstitutionality shall not be filled by any means  
19 and each of those vacant judgeships is abolished, until the  
20 number of at large judgeships of the 22nd judicial circuit  
21 returns to the number of at large judgeships specified for the  
22 22nd judicial circuit by subsection (b-10).

23 (c) The 6 resident judgeships elected from Lake County  
24 before the general election in 2006 shall become resident  
25 judgeships in the 19th circuit on December 4, 2006, and the 3  
26 resident judgeships elected from McHenry County before the

1 general election in 2006 shall become resident judgeships in  
2 the 22nd circuit on December 4, 2006.

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

9 (e) On December 4, 2006, the Supreme Court shall allocate  
10 personnel, books, records, documents, property (real and  
11 personal), funds, assets, liabilities, and pending matters  
12 concerning the 19th circuit before that date between the 19th  
13 and 22nd circuits based on the population and staffing needs of  
14 those circuits and the efficient and proper administration of  
15 the judicial system. The rights of employees under applicable  
16 collective bargaining agreements are not affected by this  
17 amendatory Act of the 93rd General Assembly.

18 (f) The judgeships set forth in this Section include the  
19 judgeships authorized under Sections 2g, 2h, and 2j. The  
20 judgeships authorized in those Sections are not in addition to  
21 those set forth in this Section.

22 (Source: P.A. 93-541, eff. 8-18-03; 93-1040, eff. 9-28-04;  
23 94-727, eff. 2-14-06.)

24 (705 ILCS 35/2f-2)

25 Sec. 2f-2. 19th judicial circuit; subcircuits; additional

1 judges.

2 (a) The 19th circuit shall be divided into 6 subcircuits.  
3 The subcircuits shall be compact, contiguous, and  
4 substantially equal in population. The General Assembly by law  
5 shall create the subcircuits, using population data as  
6 determined by the 2000 federal census, and shall determine a  
7 numerical order for the 6 subcircuits. That numerical order  
8 shall be the basis for the order in which resident judgeships  
9 are assigned to the subcircuits. The 6 resident judgeships to  
10 be assigned that are not added by or converted from at large  
11 judgeships as provided in this amendatory Act of the 96th  
12 General Assembly shall be assigned to the 1st, 2nd, 3rd, 4th,  
13 5th, and 6th subcircuits, in that order. The 6 resident  
14 judgeships to be assigned that are added by or converted from  
15 at large judgeships as provided in this amendatory Act of the  
16 96th General Assembly shall be assigned to the 6th, 5th, 4th,  
17 3rd, 2nd, and 1st subcircuits, in that order. Once a resident  
18 judgeship is assigned to a subcircuit, it shall continue to be  
19 assigned to that subcircuit for all purposes.

20 (a-5) Of the at large judgeships of the 19th judicial  
21 circuit, the first 3 that are or become vacant on or after the  
22 effective date of this amendatory Act of the 96th General  
23 Assembly shall become resident judgeships of the 19th judicial  
24 circuit to be allotted by the Supreme Court under subsection  
25 (c) and filled by election, except that the Supreme Court may  
26 fill those judgeships by appointment for any remainder of a



1 vacated term until the resident judgeships are filled initially  
2 by election. As used in this subsection, a vacancy does not  
3 include the expiration of a term of an at large judge who seeks  
4 retention in that office at the next term.

5 (a-10) The 19th judicial circuit shall have 3 additional  
6 resident judgeships to be allotted by the Supreme Court under  
7 subsection (c). One of the additional resident judgeships shall  
8 be filled by election beginning at the 2010 general election.  
9 Two of the additional resident judgeships shall be filled by  
10 election beginning at the 2012 general election.

11 (b) The 19th circuit shall have a total of 12 ~~6~~ resident  
12 judgeships (6 resident judgeships existing on the effective  
13 date of this amendatory Act of the 96th General Assembly, 3  
14 formerly at large judgeships as provided in subsection (a-5),  
15 and 3 resident judgeships added by subsection (a-10)). The  
16 number of resident judgeships allotted to subcircuits of the  
17 19th judicial circuit pursuant to this Section shall constitute  
18 all the resident judgeships of the 19th judicial circuit.

19 (c) The Supreme Court shall allot (i) all vacancies in  
20 resident judgeships of the 19th circuit existing on or  
21 occurring on or after the effective date of this amendatory Act  
22 of the 93rd General Assembly and not filled at the 2004 general  
23 election, ~~and~~ (ii) the resident judgeships of the 19th circuit  
24 filled at the 2004 general election as those judgeships  
25 thereafter become vacant, (iii) the 3 formerly at large  
26 judgeships described in subsection (a-5) as they become

1 available, and (iv) the 3 resident judgeships added by  
2 subsection (a-10), for election from the various subcircuits  
3 until there are 2 resident judges ~~is one resident judge~~ to be  
4 elected from each subcircuit. No resident judge of the 19th  
5 circuit serving on the effective date of this amendatory Act of  
6 the 93rd General Assembly shall be required to change his or  
7 her residency in order to continue serving in office or to seek  
8 retention in office as resident judgeships are allotted by the  
9 Supreme 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 19th circuit  
17 shall be filled in the manner provided in Article VI of the  
18 Illinois Constitution.

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

20 (705 ILCS 35/2f-4)

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

22 (a) The 12th circuit shall be divided into 5 subcircuits.  
23 The subcircuits shall be compact, contiguous, and  
24 substantially equal in population. The General Assembly by law  
25 shall create the subcircuits, using population data as

1 determined by the 2000 federal census, and shall determine a  
2 numerical order for the 5 subcircuits. That numerical order  
3 shall be the basis for the order in which resident judgeships  
4 are assigned to the subcircuits. The 5 resident judgeships to  
5 be assigned after the effective date of this amendatory Act of  
6 the 96th General Assembly shall be assigned to the 3rd, 4th,  
7 5th, 1st, and 2nd subcircuits, in that order. Once a resident  
8 judgeship is assigned to a subcircuit, it shall continue to be  
9 assigned to 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).

23 (a-15) Of the at large judgeships of the 12th judicial  
24 circuit not affected by subsection (a-10), the first 2 that are  
25 or become vacant on or after the effective date of this  
26 amendatory Act of the 96th General Assembly shall become

1 resident judgeships of the 12th judicial circuit to be allotted  
2 by the Supreme Court under subsection (c) and filled by  
3 election, except that the Supreme Court may fill those  
4 judgeships by appointment for any remainder of a vacated term  
5 until the resident judgeships are filled initially by election.

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

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

1 2008, or 2010 general election, as the case may be.

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

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

1 accordance with this Section.

2 (d) A resident judge elected from a subcircuit shall  
3 continue to reside in that subcircuit as long as he or she  
4 holds that office. A resident judge elected from a subcircuit  
5 after January 1, 2008, must retain residency as a registered  
6 voter in the subcircuit to run for retention from the circuit  
7 at large thereafter.

8 (e) Vacancies in resident judgeships of the 12th circuit  
9 shall be filled in the manner provided in Article VI of the  
10 Illinois Constitution, except as otherwise provided in this  
11 Section.

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

13 (705 ILCS 35/2f-5)

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

16 (a) The 22nd circuit shall be divided into 4 subcircuits.  
17 The subcircuits shall be compact, contiguous, and  
18 substantially equal in population. The General Assembly by law  
19 shall create the subcircuits, using population data as  
20 determined by the 2000 federal census, and shall determine a  
21 numerical order for the 4 subcircuits. That numerical order  
22 shall be the basis for the order in which resident judgeships  
23 are assigned to the subcircuits. Once a resident judgeship is  
24 assigned to a subcircuit, it shall continue to be assigned to  
25 that subcircuit for all purposes.

1           (b) Other than the resident judgeship added by this  
2 amendatory Act of the 96th General Assembly, the ~~The~~ 22nd  
3 circuit shall have one additional resident judgeship, as well  
4 as its 3 existing resident judgeships, for a total of 4  
5 resident judgeships to be allotted to the 4 subcircuit resident  
6 judgeships. The additional resident judgeship created by this  
7 amendatory Act of the 93rd General Assembly shall be filled by  
8 election beginning at the general election in 2006 and shall  
9 not be filled by appointment before the general election in  
10 2006. The number of resident judgeships allotted to subcircuits  
11 of the 22nd judicial circuit pursuant to this Section, and the  
12 resident judgeship added by this amendatory Act of the 96th  
13 General Assembly, shall constitute all the resident judgeships  
14 of the 22nd judicial circuit.

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

1 to seek retention in office as resident judgeships are allotted  
2 by the Supreme Court in 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. A resident judge elected from a subcircuit  
6 after January 1, 2008, must retain residency as a registered  
7 voter in the subcircuit to run for retention from the circuit  
8 at large thereafter.

9 (e) Vacancies in resident judgeships of the 22nd circuit  
10 shall be filled in the manner provided in Article VI of the  
11 Illinois Constitution.

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

13 (705 ILCS 35/2f-6)

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

15 (a) The 17th circuit shall be divided into 4 subcircuits.  
16 The subcircuits shall be compact, contiguous, and  
17 substantially equal in population. The General Assembly by law  
18 shall create the subcircuits, using population data as  
19 determined by the 2000 federal census, and shall determine a  
20 numerical order for the 4 subcircuits. That numerical order  
21 shall be the basis for the order in which resident judgeships  
22 are assigned to the subcircuits. Once a resident judgeship is  
23 assigned to a subcircuit, it shall continue to be assigned to  
24 that subcircuit for all purposes.

25 (a-10) Of the 17th circuit's 9 ~~existing~~ circuit judgeships



1 existing on April 7, 2005 (6 at large and 3 resident), but not  
2 including the one resident judgeship added by this amendatory  
3 Act of the 96th General Assembly, the 3 resident judgeships  
4 shall be allotted as 17th circuit resident judgeships under  
5 subsection (c) as those resident judgeships are or become  
6 vacant on or after the effective date of this amendatory Act of  
7 the 93rd General Assembly. Of the 17th circuit's associate  
8 judgeships, the first associate judgeship that is or becomes  
9 vacant on or after the effective date of this amendatory Act of  
10 the 93rd General Assembly shall become a resident judgeship of  
11 the 17th circuit to be allotted by the Supreme Court under  
12 subsection (c) as a resident subcircuit judgeship. These  
13 resident judgeships, and the one resident judgeship added by  
14 this amendatory Act of the 96th General Assembly, shall  
15 constitute all of the resident judgeships of the 17th circuit.  
16 As used in this subsection, a vacancy does not include the  
17 expiration of a term of a resident judge who seeks retention in  
18 that office at the next term. A vacancy does not exist or occur  
19 at the expiration of an associate judge's term if the associate  
20 judge is reappointed.

21 (b) The 17th circuit shall have a total of 4 judgeships (3  
22 resident judgeships existing on April 7, 2005 and one associate  
23 judgeship), but not including the one resident judgeship added  
24 by this amendatory Act of the 96th General Assembly, available  
25 to be allotted to the 4 subcircuit resident judgeships.

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

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

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

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. 95-610, eff. 9-11-07.)

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 3 resident judgeships added by this amendatory  
14 Act of the 96th 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. A resident judge elected from a subcircuit  
19 after January 1, 2008, must retain residency as a registered  
20 voter in the subcircuit to run for retention from the circuit  
21 at large thereafter.

22 (e) Vacancies in resident judgeships of the 16th circuit  
23 shall be filled in the manner provided in Article VI of the  
24 Illinois Constitution.

25 (Source: P.A. 94-3, eff. 5-31-05; 95-610, eff. 9-11-07.)

1 (705 ILCS 35/2k new)

2 Sec. 2k. Additional 16th circuit resident judge; Kane  
3 County. In addition to the number of circuit judges otherwise  
4 authorized by this Act, there shall be one additional judge  
5 elected in the 16th judicial circuit who shall be a resident of  
6 and elected from Kane County. The additional resident circuit  
7 judgeship created by this Section may be filled by appointment  
8 by the Illinois Supreme Court until the judgeship is filled by  
9 election beginning at the 2010 general election. The judgeship  
10 provided by this Section shall not be a subcircuit judgeship.

11 (705 ILCS 35/2m new)

12 Sec. 2m. Additional 16th circuit resident judge; DeKalb  
13 County. In addition to the number of circuit judges otherwise  
14 authorized by this Act, there shall be one additional judge  
15 elected in the 16th judicial circuit who shall be a resident of  
16 and elected from DeKalb County. The additional resident circuit  
17 judgeship created by this Section may be filled by appointment  
18 by the Illinois Supreme Court until the judgeship is filled by  
19 election beginning at the 2010 general election. The judgeship  
20 provided by this Section shall not be a subcircuit judgeship.

21 (705 ILCS 35/2n new)

22 Sec. 2n. Additional 16th circuit resident judge; Kendall  
23 County. In addition to the number of circuit judges otherwise  
24 authorized by this Act, there shall be one additional judge

1 elected in the 16th judicial circuit who shall be a resident of  
2 and elected from Kendall County. The additional resident  
3 circuit judgeship created by this Section may be filled by  
4 appointment by the Illinois Supreme Court until the judgeship  
5 is filled by election beginning at the 2010 general election.  
6 The judgeship provided by this Section shall not be a  
7 subcircuit judgeship.

8 (705 ILCS 35/2p new)

9 Sec. 2p. Additional 13th circuit resident judge; Grundy  
10 County. In addition to the number of circuit judges otherwise  
11 authorized by this Act, there shall be one additional circuit  
12 judge in the 13th circuit who shall be a resident of and  
13 elected from Grundy County. The judgeship shall be filled by  
14 appointment until it is filled by election at the general  
15 election in November of 2010.

16 (705 ILCS 35/2q new)

17 Sec. 2q. Additional 17th circuit resident judge; Boone  
18 County. In addition to the number of circuit judges otherwise  
19 authorized by this Act, there shall be one additional judge  
20 elected in the 17th judicial circuit who shall be a resident of  
21 and elected from Boone County. The additional resident circuit  
22 judgeship created by this Section may be filled by appointment  
23 by the Illinois Supreme Court until the judgeship is filled by  
24 election beginning at the 2010 general election. The judgeship

1 provided by this Section shall not be a subcircuit judgeship. A  
2 resident judge elected from Boone County under this Section  
3 must continue to reside in Boone County as long as he or she  
4 holds that office.

5 (705 ILCS 35/2r new)

6 Sec. 2r. Additional 22nd circuit resident judge. In  
7 addition to the number of circuit judges otherwise authorized  
8 by this Act, there shall be one additional judge elected in the  
9 22nd judicial circuit. The additional resident circuit  
10 judgeship created by this Section may be filled by appointment  
11 by the Illinois Supreme Court until the judgeship is filled by  
12 election beginning at the 2010 general election. The judgeship  
13 provided by this Section shall not be a subcircuit judgeship.

14 Section 10. The Associate Judges Act is amended by adding  
15 Sections 2.2, 2.3, 2.4, and 2.5 as follows:

16 (705 ILCS 45/2.2 new)

17 Sec. 2.2. Additional associate judge; 16th circuit. In  
18 addition to the number of associate judges authorized under  
19 Sections 2 and 2.1 of this Act, there shall be one additional  
20 associate judge appointed in the 16th circuit.

21 (705 ILCS 45/2.3 new)

22 Sec. 2.3. Additional associate judge; 17th circuit. In

1 addition to the number of associate judges authorized under  
2 Sections 2 and 2.1 of this Act, there shall be one additional  
3 associate judge appointed in the 17th circuit.

4 (705 ILCS 45/2.4 new)

5 Sec. 2.4. Additional associate judges; 18th circuit. In  
6 addition to the number of associate judges authorized under  
7 Sections 2 and 2.1 of this Act, there shall be one additional  
8 associate judge appointed in the 18th circuit.

9 (705 ILCS 45/2.5 new)

10 Sec. 2.5. Additional associate judge; 13th circuit. In  
11 addition to the number of associate judges authorized under  
12 Sections 2 and 2.1 of this Act, there shall be 2 additional  
13 associate judges appointed in the 13th circuit.

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