



Sen. Iris Y. Martinez

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LRB098 05218 HEP 58662 a

1 AMENDMENT TO SENATE BILL 977

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 977 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Jury Act is amended by changing Section 2  
5 as follows:

6 (705 ILCS 305/2) (from Ch. 78, par. 2)

7 Sec. 2. At the September meeting of the county board in  
8 each year in the respective counties in this State, except  
9 those that have jury commissioners, the board shall select from  
10 the list the number of persons as the judges of the circuit  
11 courts, to be held in the county during the succeeding year,  
12 may by joint action determine to serve as petit jurors. In  
13 counties having jury commissioners, the persons to serve as  
14 petit jurors shall be selected by the jury commissioners, as  
15 provided by law. County boards, a jury administrator, and jury  
16 commissioners may utilize the services of the Administrative

1 Office of the Illinois Courts in making these selections.  
2 Jurors in all counties in Illinois must have the legal  
3 qualifications herein prescribed. Jurors must be:

4 (1) Inhabitants of the county.

5 (2) Of the age of 18 years or upwards.

6 (3) Free from all legal exception, of fair character, of  
7 approved integrity, of sound judgment, well informed, and able  
8 to understand the English language, whether in spoken or  
9 written form, ~~or~~ interpreted into sign language, or, in  
10 counties in which a pilot program is implemented in accordance  
11 with Section 8-1403 of the Code of Civil Procedure, interpreted  
12 or translated into the juror's predominant language.

13 (4) Citizens of the United States of America.

14 (Source: P.A. 90-482, eff. 1-1-98.)

15 Section 10. The Jury Secrecy Act is amended by changing  
16 Section 1 as follows:

17 (705 ILCS 315/1) (from Ch. 78, par. 36)

18 Sec. 1. (a) Except as provided in subsection (b), whoever  
19 knowingly and wilfully, by any device or means whatsoever  
20 records or attempts to record, the proceedings of a petit jury  
21 in any court of the State of Illinois while the jury is  
22 deliberating or voting, or listens to or observes, or attempts  
23 to listen to or observe, the proceedings of any petit jury of  
24 which he is not a member in any court of the State of Illinois

1 while the jury is deliberating or voting, shall be guilty of a  
2 Class A misdemeanor. However, if any juror is deaf or hard of  
3 hearing, the juror may be accompanied by and may communicate  
4 with a court appointed interpreter throughout any period during  
5 which the jury is sequestered or engaged in its deliberations.  
6 In counties in which a pilot program is implemented in  
7 accordance with Section 8-1403 of the Code of Civil Procedure,  
8 if any juror's predominant language is not English, the juror  
9 may be accompanied by and may communicate with a court  
10 appointed interpreter throughout any period during which the  
11 jury is sequestered or engaged in its deliberations. If the  
12 jury foreman reasonably believes that an ~~the~~ interpreter is  
13 doing more than interpreting, nothing in this Act shall prevent  
14 him or her from petitioning the court and requesting that the  
15 interpreter be replaced with another interpreter.

16 (b) A petit juror in any court of the State of Illinois  
17 shall be entitled to take notes in connection with and solely  
18 for the purpose of assisting him in the performance of his  
19 duties as juror, and the sheriff of the county in which such  
20 juror is serving shall provide writing materials for that  
21 purpose. Such notes shall remain confidential, and shall be  
22 destroyed by the sheriff after the verdict has been returned or  
23 a mistrial declared.

24 (Source: P.A. 88-27.)

25 Section 15. The Code of Civil Procedure is amended by

1 adding Sections 8-1403 as follows:

2 (735 ILCS 5/8-1403 new)

3 Sec. 8-1403. Accommodation for jurors whose predominant  
4 language is not English.

5 (a) In the counties of Cook, Lake, DuPage, and Kane, the  
6 court may implement a pilot program to appoint a qualified  
7 interpreter to interpret or translate proceedings for a juror  
8 whose predominant language is not English. The interpreter  
9 shall be available throughout the trial and may accompany and  
10 communicate with the juror throughout any period during which  
11 the jury is sequestered or engaged in its deliberations. The  
12 court shall determine and allow a reasonable fee for all  
13 services provided under this Section which shall be paid out of  
14 general county funds.

15 (b) Before a qualified interpreter participates in any  
16 proceedings authorized under this Section, the interpreter  
17 shall make an oath or affirmation that the interpreter will:

18 (1) make a true interpretation from English to the  
19 juror's predominant language and from the juror's  
20 predominant language to English;

21 (2) not interject the interpreter's own thoughts,  
22 beliefs, conclusions, or opinions regarding any  
23 interpretation of what the evidence shows, what the  
24 instructions mean, or how the evidence is analyzed as it  
25 relates to the instructions issued by the court; and

1           (3) not express any opinion as to what the verdict  
2           should be.

3           (c) This Section is repealed 2 years after the effective  
4           date of this amendatory Act of the 98th General Assembly."