

AN ACT concerning State government.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Circuit Courts Act is amended by changing Sections 1 and 2f-2 and by adding Sections 2f-12 and 37 as follows:

(705 ILCS 35/1) (from Ch. 37, par. 72.1)

Sec. 1. Judicial circuits created. The county of Cook shall be one judicial circuit and the State of Illinois, exclusive of the county of Cook, shall be and is divided into judicial circuits as follows:

First Circuit--The counties of Alexander, Pulaski, Massac, Pope, Johnson, Union, Jackson, Williamson and Saline.

Second Circuit--The counties of Hardin, Gallatin, White, Hamilton, Franklin, Wabash, Edwards, Wayne, Jefferson, Richland, Lawrence and Crawford.

Third Circuit--The counties of Madison and Bond.

Fourth Circuit--The counties of Clinton, Marion, Clay, Fayette, Effingham, Jasper, Montgomery, Shelby, and Christian.

Fifth Circuit--The counties of Vermilion, Edgar, Clark, Cumberland and Coles.

Sixth Circuit--The counties of Champaign, Douglas, Moultrie, Macon, DeWitt, and Piatt.

Seventh Circuit--The counties of Sangamon, Macoupin, Morgan, Scott, Greene, and Jersey.

Eighth Circuit--The counties of Adams, Schuyler, Mason, Cass, Brown, Pike, Calhoun, and Menard.

Ninth Circuit--The counties of Knox, Warren, Henderson, Hancock, McDonough, and Fulton.

Tenth Circuit--The counties of Peoria, Marshall, Putnam, Stark, and Tazewell.

Eleventh Circuit--The counties of McLean, Livingston, Logan, Ford, and Woodford.

Twelfth Circuit--The county of Will.

Thirteenth Circuit--The counties of Bureau, LaSalle, and Grundy.

Fourteenth Circuit--The counties of Rock Island, Mercer, Whiteside, and Henry.

Fifteenth Circuit--The counties of Jo Daviess, Stephenson, Carroll, Ogle, and Lee.

Sixteenth Circuit--The county of Kane. ~~Before December 3, 2012, the counties of Kane, DeKalb, and Kendall. On and after December 3, 2012, the County of Kane.~~

Seventeenth Circuit--The counties of Winnebago and Boone.

Eighteenth Circuit--The county of DuPage.

Nineteenth Circuit--The county of Lake. ~~Before December 4, 2006, the counties of Lake and McHenry. On and after December 4, 2006, the County of Lake.~~

Twentieth Circuit--Before December 5, 2022, the ~~The~~

counties of Randolph, Monroe, St. Clair, Washington, and Perry. On and after December 5, 2022, the county of St. Clair.

Twenty-first Circuit--The counties of Iroquois and Kankakee.

Twenty-second Circuit--The county of McHenry. ~~On and after December 4, 2006, the County of McHenry.~~

Twenty-third Circuit--The ~~On and after December 3, 2012,~~ the counties of DeKalb and Kendall.

Twenty-fourth Circuit--On and after December 5, 2022, the counties of Randolph, Monroe, Washington, and Perry.

(Source: P.A. 97-585, eff. 8-26-11; 98-756, eff. 7-16-14.)

(705 ILCS 35/2f-2)

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

(a) Prior to the boundaries of the subcircuits being redrawn under subsection (a-3), the ~~The~~ 19th circuit shall be divided into 6 subcircuits. The subcircuits shall be compact, contiguous, and substantially equal in population. The General Assembly by law shall create the subcircuits, using population data as determined by the 2000 federal census, and shall determine a numerical order for the 6 subcircuits. That numerical order shall be the basis for the order in which resident judgeships are assigned to the subcircuits. The 6 resident judgeships to be assigned that are not added by or converted from at-large ~~at large~~ judgeships as provided in

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

(a-3) In 2021, the General Assembly shall redraw the boundaries of the subcircuits to reflect the results of the 2020 federal decennial census and divide the 19th circuit into at least 10 subcircuits. The General Assembly shall redraw the subcircuit boundaries after every federal decennial census. The subcircuits shall be compact, contiguous, and substantially equal in population. Upon the division of subcircuits pursuant to this Section: (i) each resident judgeship shall be assigned to the newly drawn subcircuit in which the judge of the resident judgeship in question resides; and (ii) each at-large judgeship shall be converted to a resident judgeship and assigned to the subcircuit in which the judge of the converted judgeship in question resides. Once a resident judgeship is assigned to a subcircuit or an at-large judgeship is converted to a resident judgeship and assigned to a subcircuit, it shall be assigned to that subcircuit for all purposes. ~~In accordance with subsection (a), a resident~~

~~judgeship assigned to a subcircuit shall continue to be assigned to that subcircuit.~~ Any vacancy in a resident judgeship existing on or occurring after the effective date of a law redrawing the boundaries of the subcircuits shall be filled by a resident of the redrawn subcircuit. When a vacancy occurs in a resident judgeship, the resident judgeship shall be allotted by the Supreme Court under subsection (c) and filled by election. Notwithstanding the preceding 2 sentences, the resident judgeship shall not be allotted by the Supreme Court and filled by election if, after the vacancy arises, there are still 2 or more nonvacant resident judgeships in the subcircuit of the vacant resident judgeship in question.

(a-5) Of the at-large ~~at-large~~ judgeships of the 19th judicial circuit, the first 3 that are or become vacant on or after the effective date of this amendatory Act of the 96th General Assembly shall become resident judgeships of the 19th judicial circuit to be allotted by the Supreme Court under subsection (c) and filled by election, except that the Supreme Court may fill those judgeships by appointment for any remainder of a vacated term until the resident judgeships are filled initially by election. As used in this subsection, a vacancy does not include the expiration of a term of an at-large ~~at-large~~ judge who seeks retention in that office at the next term.

(a-10) The 19th judicial circuit shall have 3 additional resident judgeships to be allotted by the Supreme Court under

subsection (c). One of the additional resident judgeships shall be filled by election beginning at the 2010 general election. Two of the additional resident judgeships shall be filled by election beginning at the 2012 general election.

(a-15) The 19th judicial circuit shall have additional resident judgeships as provided by subsection (a-3) to be allotted by the Supreme Court under subsection (c). The resident judgeships shall be allotted by the Supreme Court in numerical order as provided by the General Assembly upon the redrawing of boundaries and the division of subcircuits pursuant to subsection (a-3). Two additional resident judgeships allotted by the Supreme Court pursuant to this subsection, in numerical order as provided by the General Assembly, shall be filled by election beginning at the 2022 general election. The remainder of the additional resident judgeships shall be filled by election at the 2024 election.

(a-20) In addition to the 2 judgeships filled by election at the 2022 election as provided by subsection (a-15), any judgeship that became vacant after January 1, 2020 and on the effective date of this amendatory Act of the 102nd General Assembly is held by an individual appointed by the Supreme Court also shall be filled by election at the 2022 general election. This subsection is subject to the requirement of subsection (a-3) that no judgeship shall be allotted by the Supreme Court and filled by election if, after the vacancy arises, there are still 2 or more nonvacant resident

judgeships in the subcircuit of the vacant resident judgeship in question.

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

(c) The Supreme Court shall allot (i) all vacancies in resident judgeships of the 19th circuit existing on or occurring on or after the effective date of this amendatory Act of the 93rd General Assembly and not filled at the 2004 general election, (ii) the resident judgeships of the 19th circuit filled at the 2004 general election as those judgeships thereafter become vacant, (iii) the 3 formerly at-large ~~at-large~~ judgeships described in subsection (a-5) as they become available, ~~and~~ (iv) the 3 resident judgeships added by subsection (a-10), and (v) the additional resident judgeships provided for by subsection (a-3), for election from the various subcircuits until there are 2 resident judges to be elected from each subcircuit. No resident judge of the 19th circuit serving on the effective date of this amendatory Act of the 93rd General Assembly shall be required to change his or

her residency in order to continue serving in office or to seek retention in office as resident judgeships are allotted by the Supreme Court in accordance with this Section.

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

(e) Vacancies in resident judgeships of the 19th circuit shall be filled in the manner provided in Article VI of the Illinois Constitution.

(Source: P.A. 101-477, eff. 6-1-20.)

(705 ILCS 35/2f-12 new)

Sec. 2f-12. 20th and 24th judicial circuits.

(a) On December 5, 2022, the 20th judicial circuit is divided into the 20th and 24th judicial circuits as provided in Section 1. This division does not invalidate any action taken by the 20th judicial circuit or any of its judges, officers, employees, or agents before December 5, 2022. This division does not affect any person's rights, obligations, or duties, including applicable civil and criminal penalties, arising out of any action taken by the 20th judicial circuit or any of its judges, officers, employees, or agents before December 5, 2022.

(b) Any vacancies in at-large judgeships or resident judgeships shall be filled in the 2022 general election. The Supreme Court shall fill any remaining vacancies in at-large judgeships or resident judgeships by appointment after the 2022 general election.

(c) The Supreme Court shall assign to the 20th circuit the 5 circuit judgeships elected at-large in the 20th circuit before and at the 2022 general election. The 3 resident judgeships elected from St. Clair County before the 2012 general election shall become at-large circuit judgeships in the 20th circuit on December 5, 2022. An individual seeking election to one of the 5 judgeships at-large or a judge seeking retention to one of the 5 judgeships at-large at the 2022 general election shall seek election or retention solely within the boundaries of St. Clair County. The 5 circuit judgeships assigned to the 20th circuit shall continue to be elected at-large, and the 3 resident judges shall be elected at-large at the first general election following the expiration of a term of office. As used in this subsection, a vacancy does not include the expiration of a term of an at-large judge or of a resident judge who intends to seek retention in that office at the next term.

(d) The one resident judgeship elected from Monroe County before the 2022 general election shall become a resident judge in Monroe County in the 24th circuit on December 5, 2022, the one resident judgeship elected from Randolph County before the

2022 general election shall become a resident judge in Randolph County in the 24th circuit on December 5, 2022, the one resident judgeship elected from Perry County before the 2022 general election shall become a resident judge in Perry County in the 24th circuit on December 5, 2022, and the one resident judgeship elected from Washington County before the 2022 general election shall become a resident judge in Washington County in the 24th circuit on December 5, 2022.

(e) On December 5, 2022, the Supreme Court shall allocate the associate judgeships of the 20th circuit before that date between the 20th and 24th circuits based on the residency of the associate judges. Any vacancies in associate judgeships shall be filled in accordance with the Associate Judges Act.

(f) On December 5, 2022, the Supreme Court shall allocate personnel, books, records, documents, real and personal property, funds, assets, liabilities, and pending matters concerning the 20th circuit before that date between the 20th and 24th circuits based on the population and staffing needs of those circuits and the efficient and proper administration of the judicial system. The rights of employees under applicable collective bargaining agreements are not affected by this amendatory Act of the 102nd General Assembly.

(g) The judgeships set forth in this Section include the judgeships authorized under Section 2c.

Sec. 37. Currently serving circuit judges. Nothing in this amendatory Act of the 102nd General Assembly shall affect the tenure of any circuit judge serving on the effective date of this amendatory Act. No circuit judge serving on the effective date of this amendatory Act of the 102nd General Assembly shall be required to change his or her residency in order to continue serving in office or to seek retention in office. Any circuit judge elected to that office prior to the effective date of this amendatory Act of the 102nd General Assembly who files to run for retention after the effective date of this amendatory Act shall have the right to seek retention in the circuit the judge was elected from or to seek retention in the circuit created by this amendatory Act. The Secretary of State, not less than 63 days before the election, shall certify the judge's candidacy to the proper election officials.

Section 10. The Judicial Vacancies Act is amended by changing Section 2 as follows:

(705 ILCS 40/2) (from Ch. 37, par. 72.42)

Sec. 2. (a) Except as provided in paragraphs (1), (2), (3), (4), and (5) of this subsection (a), vacancies in the office of a resident circuit judge in any county or in any unit or subcircuit of any circuit shall not be filled.

(1) If in any county of less than 45,000 inhabitants

there remains in office no other resident judge following the occurrence of a vacancy, such vacancy shall be filled.

(2) If in any county of 45,000 or more but less than 60,000 inhabitants there remains in office only one resident judge following the occurrence of a vacancy, such vacancy shall be filled.

(3) If in any county of 60,000 or more inhabitants, other than the County of Cook or as provided in paragraph (5), there remain in office no more than 2 resident judges following the occurrence of a vacancy, such vacancy shall be filled.

(4) The County of Cook shall have 165 resident judges on and after the effective date of this amendatory Act of 1990. Of those resident judgeships, (i) 56 shall be those authorized before the effective date of this amendatory Act of 1990 from the unit of the Circuit of Cook County within Chicago, (ii) 27 shall be those authorized before the effective date of this amendatory Act of 1990 from the unit of the Circuit of Cook County outside Chicago, (iii) 12 shall be additional resident judgeships first elected at the general election in November of 1992, (iv) 10 shall be additional resident judgeships first elected at the general election in November of 1994, and (v) 60 shall be additional resident judgeships to be authorized one each for each reduction upon vacancy in the office of associate judge in the Circuit of Cook County as those vacancies

exist or occur on and after the effective date of this amendatory Act of 1990 and as those vacancies are determined under subsection (b) of Section 2 of the Associate Judges Act until the total resident judgeships authorized under this item (v) is 60. Seven of the 12 additional resident judgeships provided in item (iii) may be filled by appointment by the Supreme Court during the period beginning on the effective date of this amendatory Act of 1990 and ending 60 days before the primary election in March of 1992; those judicial appointees shall serve until the first Monday in December of 1992. Five of the 12 additional resident judgeships provided in item (iii) may be filled by appointment by the Supreme Court during the period beginning July 1, 1991 and ending 60 days before the primary election in March of 1992; those judicial appointees shall serve until the first Monday in December of 1992. Five of the 10 additional resident judgeships provided in item (iv) may be filled by appointment by the Supreme Court during the period beginning July 1, 1992 and ending 60 days before the primary election in March of 1994; those judicial appointees shall serve until the first Monday in December of 1994. The remaining 5 of the 10 additional resident judgeships provided in item (iv) may be filled by appointment by the Supreme Court during the period beginning July 1, 1993 and ending 60 days before the primary election in March of 1994; those judicial

appointees shall serve until the first Monday in December 1994. The additional resident judgeships created upon vacancy in the office of associate judge provided in item (v) may be filled by appointment by the Supreme Court beginning on the effective date of this amendatory Act of 1990; but no additional resident judgeships created upon vacancy in the office of associate judge provided in item (v) shall be filled during the 59 day period before the next primary election to nominate judges. The Circuit of Cook County shall be divided into units to be known as subcircuits as provided in Section 2f of the Circuit Courts Act. A vacancy in the office of resident judge of the Circuit of Cook County existing on or occurring on or after the effective date of this amendatory Act of 1990, but before the date the subcircuits are created by law, shall be filled by appointment by the Supreme Court from the unit within Chicago or the unit outside Chicago, as the case may be, in which the vacancy occurs and filled by election from the subcircuit to which it is allotted under Section 2f of the Circuit Courts Act. A vacancy in the office of resident judge of the Circuit of Cook County existing on or occurring on or after the date the subcircuits are created by law shall be filled by appointment by the Supreme Court and by election from the subcircuit to which it is allotted under Section 2f of the Circuit Courts Act.

(5) Notwithstanding paragraphs (1), (2), and (3) of this subsection (a), resident judges in the 12th, 16th, 17th, 19th, 22nd, ~~and 23rd,~~ and 24th judicial circuits are as provided in Sections 2f-1, 2f-2, 2f-4, 2f-5, 2f-6, 2f-9, ~~and 2f-10,~~ and 2f-12 of the Circuit Courts Act.

(b) Nothing in paragraphs (2) or (3) of subsection (a) of this Section shall be construed to require or permit in any county a greater number of resident judges than there were resident associate judges on January 1, 1967.

(c) Vacancies authorized to be filled by this Section 2 shall be filled in the manner provided in Article VI of the Constitution.

(d) A person appointed to fill a vacancy in the office of circuit judge shall be, at the time of appointment, a resident of the subcircuit from which the person whose vacancy is being filled was elected if the vacancy occurred in a circuit divided into subcircuits. If a vacancy in the office of circuit judge occurred in a circuit not divided into subcircuits, a person appointed to fill the vacancy shall be, at the time of appointment, a resident of the circuit from which the person whose vacancy is being filled was elected. Except as provided in Sections 2f-1, 2f-2, 2f-4, 2f-5, 2f-6, and 2f-9 of the Circuit Courts Act, if a vacancy occurred in the office of a resident circuit judge, a person appointed to fill the vacancy shall be, at the time of appointment, a resident of the county from which the person whose vacancy is

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being filled was elected.

(Source: P.A. 98-744, eff. 7-16-14.)

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