



Rep. Jay Hoffman

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1 AMENDMENT TO SENATE BILL 397

2 AMENDMENT NO. _____. Amend Senate Bill 397 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Court Reporters Act is amended by changing
5 Sections 1, 3, 4, 4.1, 5, 6, 7, 8, 8.1, 8.2, and 8.5 as follows:

6 (705 ILCS 70/1) (from Ch. 37, par. 651)

7 Sec. 1. Definitions. In this Act:

8 "Court reporter" means any person appointed by the chief
9 judge of any circuit to perform the duties prescribed in
10 Section 5 of this Act.

11 "Court reporting services employee" means any person
12 employed by a chief judge of any circuit to take the court
13 record by stenographic or electronic means. "Court reporting
14 services employee" includes administrative personnel as
15 permitted by Section 4.1 of this Act.

16 "Employer representative" means, with respect to wages,

1 fringe benefits, hours, holidays, vacation, proficiency
2 examinations, sick leave, and other conditions of employment:

3 (1) For court reporters employed by the ~~Cook County~~
4 ~~Judicial~~ Circuit Court of Cook County, the chief judge of
5 the ~~Cook County~~ Circuit Court of Cook County.

6 (2) For court reporters employed by the 12th, 18th,
7 19th, and, ~~on and after December 4, 2006,~~ the 22nd judicial
8 circuits, a group consisting of the chief judges of those
9 circuits, acting jointly by majority vote.

10 (3) For court reporters employed by all other judicial
11 circuits, the chief judges of those circuits, acting
12 jointly by majority vote.

13 The chief judge of the judicial circuit that employs a
14 public employee who is a court reporter, as defined in this ~~the~~
15 ~~Court Reporters~~ Act, has the authority to hire, appoint,
16 promote, evaluate, discipline, and discharge court reporters
17 within that judicial circuit.

18 (Source: P.A. 94-98, eff. 7-1-05.)

19 (705 ILCS 70/3) (from Ch. 37, par. 653)

20 Sec. 3. Number; determination and certification. The
21 number of full-time and part-time court reporters that may be
22 appointed in each circuit shall be determined by the employer
23 representative. In determining how many court reporters are
24 needed in each circuit the employer representative shall
25 consider the following factors: (1) case loads in the circuit;

1 (2) the number of associate judges and circuit judges in the
2 circuit; (3) (blank) ~~the number and location in the circuit of~~
3 ~~major federal and state highways;~~ (4) (blank) ~~the location in~~
4 ~~the circuit of state police highway truck weighing stations;~~
5 (5) (blank) ~~the relationship of urban population to large~~
6 ~~metropolitan centers in the various counties of the circuit;~~
7 (6) (blank) ~~the location in the circuit of state institutions~~
8 ~~including, but not limited to, universities, colleges, mental~~
9 ~~health facilities, penitentiaries;~~ (7) (blank) ~~the number of~~
10 ~~cities and towns within each circuit in which regular court~~
11 ~~sessions are held and the distance in road miles between each;~~
12 and (8) any other factor deemed relevant by the employer
13 representative.

14 The employer representative may, as the need arises,
15 increase or lower the number of such court reporters so
16 authorized.

17 ~~The Chief Judge of each circuit may designate any number of~~
18 ~~approved full-time court reporter positions as time share~~
19 ~~positions. For the purposes of this Act, "time share position"~~
20 ~~means a full-time court reporter position that is divided among~~
21 ~~2 or more court reporters with the full-time salary and~~
22 ~~benefits being apportioned among the court reporters in the~~
23 ~~same percentage as the duties of the full-time position are~~
24 ~~apportioned.~~

25 (Source: P.A. 94-98, eff. 7-1-05.)

1 (705 ILCS 70/4) (from Ch. 37, par. 654)

2 Sec. 4. Appointment; oath. The chief judge may appoint all
3 or any of the number of court reporters authorized by Section 3
4 of this Act. The court reporters so appointed shall serve at
5 the direction of the chief judge and may be removed by the
6 chief judge.

7 Each court reporter appointed shall, before entering upon
8 the duties of his or her office, take the official oath to
9 faithfully discharge the duties of his or her office to the
10 best of his or her knowledge and ability.

11 The appointments shall be in writing and shall be filed
12 with the Clerk of the Circuit Court of the circuit in which the
13 court reporters are employed and shall continue in force until
14 revoked by the chief judge of the circuit in which the court
15 reporter is appointed.

16 (Source: P.A. 94-98, eff. 7-1-05.)

17 (705 ILCS 70/4.1) (from Ch. 37, par. 654.1)

18 Sec. 4.1. Appointment and salary of administrative
19 personnel.

20 (a) The employer representative may authorize the chief
21 judge of any ~~single county~~ circuit to appoint administrative,
22 supervisory, and clerical staff when a need for such positions
23 has been substantiated, except that in Cook County, supervisory
24 and administrative personnel shall be appointed from among the
25 court reporting services' pool of employees when such a need

1 ~~has been substantiated in which official court reporting~~
2 ~~services are centrally administered, (1) to appoint from among~~
3 ~~the court reporters appointed in the circuit an Administrator~~
4 ~~of Court Reporters, a Deputy Administrator of Court Reporters~~
5 ~~and 2 Assistant Administrators of Court Reporters, (2) to~~
6 ~~designate from among the court reporters appointed in the~~
7 ~~circuit one Reporter Supervisor and one Assistant Reporter~~
8 ~~Supervisor for each Department and Division of the circuit~~
9 ~~court, and (3) to appoint secretarial and other support staff~~
10 ~~to assist the Administrator. Each Administrator, Deputy~~
11 ~~Administrator, Assistant Administrator, Reporter Supervisor,~~
12 ~~and Assistant Reporter Supervisor shall have an "A" proficiency~~
13 ~~rating, by examination, as provided in Section 7.~~

14 (b) Administrative personnel appointed under this Section
15 shall be paid by the State.

16 (1) In addition to their regular salary as official
17 court reporters, the administrative personnel appointed
18 under this Section shall be paid such additional sums as
19 the employer representative specifies. Such sums shall be
20 included in the pay schedule adopted pursuant to Section 8.
21 The additional amounts paid shall reflect the burden of
22 administrative responsibility borne by the administrative
23 personnel and the consequent lack of opportunity to produce
24 transcripts of testimony. The additional amounts paid to
25 such personnel shall be determined by the employer
26 representative. ~~not exceed the following:~~

1 ~~(A) Administrator of Court Reporters: \$20,000 per~~
2 ~~year;~~

3 ~~(B) Deputy Administrator of Court Reporters:~~
4 ~~\$15,000 per year;~~

5 ~~(C) Assistant Administrators of Court Reporters:~~
6 ~~\$13,000 per year;~~

7 ~~(D) Reporter Supervisors: \$10,000 per year.~~

8 ~~(E) Assistant Reporter Supervisors: \$5,000 per~~
9 ~~year.~~

10 (2) Each of the administrative, supervisory,
11 ~~secretarial~~ and other support staff authorized under this
12 Section shall be paid a salary as determined per year by
13 the employer representative.

14 (Source: P.A. 94-98, eff. 7-1-05.)

15 (705 ILCS 70/5) (from Ch. 37, par. 655)

16 Sec. 5. Means of reporting; transcripts. The court reporter
17 shall make a full reporting by means of stenographic ~~hand or~~
18 ~~machine notes, or a combination thereof,~~ of the evidence and
19 such other proceedings in trials and judicial proceedings to
20 which he or she is assigned by the chief judge, and the court
21 reporter may use an electronic instrument as a supplementary
22 device. In the event that the court utilizes an audio or video
23 recording system approved by the Supreme Court to record the
24 proceedings, a court reporting services employee ~~reporter~~
25 shall be in charge of such system; ~~however, the appointment of~~

1 ~~a court reporter to be in charge of an audio or video recording~~
2 ~~system shall not be required where such system is the judge's~~
3 ~~personal property or has been supplied by a party or such~~
4 ~~party's attorney.~~ To the extent that it does not substantially
5 interfere with the court reporter's other official duties, ~~the~~
6 ~~judge to whom, or a judge of the division to which,~~ a reporter
7 may be ~~is~~ assigned ~~may assign a reporter~~ to secretarial or
8 clerical duties arising out of official court operations.

9 A court reporting services employee may charge a page rate
10 for the preparation of transcripts of court proceedings not to
11 exceed the rate set by the employer representative in the
12 Uniform Schedule of Charges for Transcripts.

13 ~~Unless and until otherwise provided in a Uniform Schedule~~
14 ~~of Charges which may hereafter be provided by rule or order of~~
15 ~~the employer representative, a court reporter may charge not to~~
16 ~~exceed 25¢ per 100 words for making transcripts of his notes.~~
17 ~~The fees for making transcripts shall be paid in the first~~
18 ~~instance by the party in whose behalf such transcript is~~
19 ~~ordered and shall be taxed in the suit.~~

20 ~~The transcripts shall be filed and remain with the papers~~
21 ~~of the case. When the judge trying the case shall, of his own~~
22 ~~motion, order a transcript of the court reporter's notes, the~~
23 ~~judge may direct the payment of the charges therefor, and the~~
24 ~~taxation of the charges as costs in such manner as to him may~~
25 ~~seem just. Provided, that the charges for making but one~~
26 ~~transcript shall be taxed as costs and the party first ordering~~

1 ~~the transcript shall have preference unless it shall be~~
2 ~~otherwise ordered by the court.~~

3 ~~The change made to this Section by this amendatory Act of~~
4 ~~1987 is intended to apply retroactively from and after January~~
5 ~~1, 1987.~~

6 (Source: P.A. 94-98, eff. 7-1-05.)

7 (705 ILCS 70/6) (from Ch. 37, par. 656)

8 Sec. 6. Assignment to serve outside of county of
9 appointment; Travel expenses.

10 The chief judge may assign a court reporter to serve
11 anywhere within the circuit in which the court reporter is
12 appointed. A court reporter shall be paid travel expenses
13 incurred in connection with his or her official duties in his
14 or her circuit of appointment outside the county wherein he or
15 she resides. Subject to regulations which may be adopted by the
16 employer representative ~~Supreme Court~~, court reporters shall
17 be allowed travel expenses when traveling within their county
18 of residence in connection with their official duties.

19 The employer representative may assign a court reporter to
20 temporary service outside his or her own circuit, but within
21 the jurisdiction of the employer representative, with the
22 consent of the chief judge ~~of his circuit~~. A court reporter
23 shall be paid travel expenses incurred in connection with his
24 or her official duties during such periods of temporary
25 assignment.

1 Expense vouchers shall be submitted to the employer
2 representative for approval. The expense vouchers or claims
3 submitted to the Office of the Comptroller for payment ~~employer~~
4 ~~representative~~ shall have ~~endorsed thereon~~ the signed approval
5 of the chief judge of the circuit in which the court reporter
6 is appointed ~~incurred the expense for which claim is made.~~

7 (Source: P.A. 94-98, eff. 7-1-05.)

8 (705 ILCS 70/7) (from Ch. 37, par. 657)

9 Sec. 7. Proficiency tests. Each ~~Except as otherwise~~
10 ~~provided in this Section, each~~ court reporter ~~in office on~~
11 ~~January 1, 1966 or appointed on or after that date shall have~~
12 ~~taken or shall thereafter~~ take a test to verify ~~rate~~ his or her
13 proficiency within one year of employment. The test shall be
14 prepared and administered by the employer representative in
15 consultation with each of the other employer representatives
16 pursuant to standards set by rules. A proficiency test passed
17 prior to employment may be accepted by the chief judge as proof
18 of proficiency. ~~The test shall consist of three parts~~
19 ~~designated Part A, Part B and Part C. If the court reporter in~~
20 ~~office on January 1, 1966, or appointed on or after that date,~~
21 ~~successfully passes any Part he shall be given a certificate~~
22 ~~designating him as an official court reporter. If such court~~
23 ~~reporter fails to pass any part, the employer representative~~
24 ~~shall so inform the chief judge of the circuit in which the~~
25 ~~court reporter serves. Upon receipt of note that a court~~

1 ~~reporter has failed to pass any part of the test, the chief~~
2 ~~judge may discharge the court reporter or may allow him to~~
3 ~~continue until the test is next administered. If, when the test~~
4 ~~is next administered, the court reporter fails to pass any part~~
5 ~~of the test, he shall be discharged by the chief judge.~~

6 ~~The test shall be administered at least every six months if~~
7 ~~there are candidates or applicants for the test. Any court~~
8 ~~reporter who has passed Part C of the test may apply to take~~
9 ~~the Part B or the Part A section of the test at the regular time~~
10 ~~such tests are given. If the court reporter successfully~~
11 ~~completes Part B or Part A of the test, his proficiency rating~~
12 ~~shall be adjusted to reflect passage of the more difficult~~
13 ~~Part.~~

14 ~~Any court reporter who served as a court reporter in a~~
15 ~~circuit court for 5 years immediately preceding January 1, 1966~~
16 ~~shall be certified as an official court reporter without~~
17 ~~examination, and shall be credited with an "A" proficiency~~
18 ~~rating, without examination.~~

19 (Source: P.A. 94-98, eff. 7-1-05.)

20 (705 ILCS 70/8) (from Ch. 37, par. 658)

21 Sec. 8. Salaries.

22 (a) The salaries of all court reporters shall be paid by
23 the State. ~~Full-time court reporters shall be paid not less~~
24 ~~than \$6,000 nor more than \$29,500 per year through June 30,~~
25 ~~1984. Beginning July 1, 1984, full-time court reporters shall~~

1 ~~be paid not less than \$6,000 nor more than \$31,250 annually.~~
2 ~~Beginning July 1, 1985, full-time court reporters shall be paid~~
3 ~~not less than \$6,000 nor more than \$33,250 annually. Beginning~~
4 ~~July 1, 1986, full-time court reporters shall be paid not less~~
5 ~~than \$6,000 nor more than \$35,250 annually. Beginning July 1,~~
6 ~~1987, full-time court reporters shall be paid not less than~~
7 ~~\$6,000 nor more than \$37,250 annually. Part-time court~~
8 ~~reporters shall be paid not less than \$12 nor more than \$60 per~~
9 ~~half-day.~~ The salary of each individual court reporter shall be
10 computed from a schedule adopted by the employer
11 representative. The salary schedule shall reflect the
12 following relevant factors: (1) proficiency rating; (2)
13 experience; (3) population of the area to which a reporter is
14 normally assigned; (3-1) court reporters shall receive the same
15 annual percentage salary increase as provided to other
16 State-paid non-judicial employees of the Judicial Branch with
17 equivalent salaries, except that notwithstanding any other
18 provision of law, salaries of full-time court reporters shall
19 be increased by at least a percentage increase equivalent to
20 that of the "Employment Cost Index, Wages and Salaries, by
21 Occupation and Industry Groups, State and Local Government
22 Workers Public Administration", as published by the Bureau of
23 Labor Statistics of the U.S. Department of Labor for the
24 calendar year immediately preceding the year of the respective
25 July 1st increase date. The increase shall be added to the then
26 current annual salary and the adjusted salary so determined

1 shall be the annual salary beginning July 1 of the increase
2 year until July 1 of the next year; (4) other factors
3 considered relevant by the employer representative ~~Director~~.

4 (b) (Blank).

5 (c) (Blank). ~~A court reporter who has previously passed, or~~
6 ~~who hereafter passes, Part A or Part B of a proficiency test~~
7 ~~prepared and administered by the employer representative shall~~
8 ~~be credited with an "A" or "B" proficiency rating, as~~
9 ~~appropriate.~~

10 (d) (Blank). ~~A court reporter who has been credited with an~~
11 ~~"A" proficiency rating, without examination, as provided in~~
12 ~~Section 7 of this Act, shall receive a salary of \$10,000 per~~
13 ~~annum. Any increase in the maximum salary payable to reporters~~
14 ~~shall not result in any increase for such reporter unless and~~
15 ~~until he has passed the proficiency test.~~

16 (e) The salaries of all official court reporters employed
17 by the State shall be paid semi-monthly ~~monthly~~, from moneys
18 appropriated to the Comptroller for that purpose, on the
19 voucher of the chief judge of the circuit employing the court
20 reporters. The Comptroller may require all salary claims by
21 part-time reporters to be substantiated by certificates signed
22 by the reporter and approved by the chief judge of the circuit.

23 (f) (Blank). ~~The salaries of time share court reporter~~
24 ~~positions may be apportioned in the manner provided in Section~~
25 ~~3 of this Act.~~

26 (Source: P.A. 94-98, eff. 7-1-05.)

1 (705 ILCS 70/8.1)

2 Sec. 8.1. Appropriation request. Each employer
3 representative shall make an annual appropriation request ~~in~~
4 ~~January~~ to the General Assembly to fund court reporters. When
5 necessary, an employer representative may request supplemental
6 appropriations to fund court reporters.

7 (Source: P.A. 94-98, eff. 7-1-05.)

8 (705 ILCS 70/8.2)

9 Sec. 8.2. Collective ~~Supreme Court;~~ collective bargaining.
10 The employer representatives ~~Supreme Court~~ shall collectively
11 bargain over wages, hours, and terms and conditions of
12 employment of ~~all~~ persons employed as court reporting services
13 employees ~~reporters~~ in this State if so agreed upon by a
14 majority vote of the employees within each employer group. The
15 employer representative ~~Supreme Court~~ shall recognize an
16 exclusive bargaining representative of persons employed as
17 court reporting services employees ~~reporters~~ in this State, if
18 that representative makes a showing, through an election or
19 otherwise, that it represents a majority of the court reporters
20 within the employer group, in accordance with procedures for
21 verifying majority status ~~established by the Court~~.

22 (Source: P.A. 93-89, eff. 7-2-03.)

23 (705 ILCS 70/8.5)

1 Sec. 8.5. Advisory arbitration for collective bargaining.

2 (a) All matters concerning wages, hours, and terms and
3 conditions of employment of court reporters are subject to
4 advisory, non-binding arbitration.

5 (b) Any party to a collective bargaining agreement with the
6 exclusive bargaining representative chosen under Section 8.2
7 may request that any matter concerning wages, hours, or terms
8 and conditions of employment of court reporters shall be
9 submitted to advisory, non-binding arbitration and that the
10 employer representative ~~Supreme Court~~ shall appoint
11 arbitrators. Upon receiving such a request, the employer
12 representative ~~Court~~ shall appoint a panel of one or more
13 arbitrators and submit the matter to the panel for advisory,
14 non-binding arbitration. The employer representative ~~Court~~
15 shall consult with the parties in determining acceptable
16 arbitrators.

17 (c) Arbitrators appointed by the employer representative
18 ~~Supreme Court~~ under this Section are entitled to compensation
19 and to reimbursement for their reasonable expenses actually
20 incurred in performing their duties, as provided by rules
21 adopted by the employer representative ~~Court~~. Arbitrators'
22 compensation and reimbursement shall be paid from moneys
23 appropriated for that purpose.

24 (d) The employer representative ~~Supreme Court~~ shall create
25 a roster of arbitrators who are available and qualified for
26 appointment under this Section, ~~as provided by rules adopted by~~

1 ~~the Court.~~

2 (Source: P.A. 93-89, eff. 7-2-03.)".