96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SENATE JOINT RESOLUTION

CONSTITUTIONAL AMENDMENT

SC0010

Introduced 2/3/2009, by Sen. Kirk W. Dillard

SYNOPSIS AS INTRODUCED:

ILCON Art. VI, Sec. 3

    Proposes to amend the Judiciary Article of the Illinois Constitution
to provide that if a Supreme Court Judge recuses himself or herself in a
particular case or matter before the Court because of an actual or
potential conflict of interest, then the Judge shall notify the Clerk of
the Supreme Court in writing of the recusal and a Judge of the Appellate
Court shall be selected to serve as an Interim Supreme Court Judge to hear
that particular case or matter until it is resolved or otherwise disposed
of by the Court. Also proposes that the Interim Supreme Court Judge shall
be selected in a random manner from a pool of Appellate Judges as
determined by Supreme Court Rule. Effective upon being declared adopted.

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1   SENATE JOINT RESOLUTION

2   CONSTITUTIONAL AMENDMENT

3   RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL

4 ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES

5 CONCURRING HEREIN, that there shall be submitted to the

6 electors of the State for adoption or rejection at the general

7 election next occurring at least 6 months after the adoption of

8 this resolution a proposition to amend Section 3 of Article VI

9 of the Illinois Constitution as follows:

10   ARTICLE VI

11   THE JUDICIARY

12   (ILCON Art. VI, Sec. 3)

13 SECTION 3. SUPREME COURT - ORGANIZATION

14   (a) The Supreme Court shall consist of seven Judges. Three

15 shall be selected from the First Judicial District and one from

16 each of the other Judicial Districts. Four Judges constitute a

17 quorum and the concurrence of four is necessary for a decision.

18 Supreme Court Judges shall select a Chief Justice from their

19 number to serve for a term of three years.

20   (b) If a Supreme Court Judge recuses himself or herself in

21 a particular case or matter before the Court because of an

22 actual or potential conflict of interest, then the Judge shall

23 notify the Clerk of the Supreme Court in writing of the

1   recusal. A Judge of the Appellate Court shall then be selected

2   to serve as an Interim Supreme Court Judge to hear that

3   particular case or matter until it is resolved or otherwise

4   disposed of by the Court. The Interim Supreme Court Judge shall

5   be selected in a random manner from a pool of Appellate Judges

6   as determined by Supreme Court Rule.

7   (Source: Illinois Constitution.)

8   SCHEDULE

9   This Constitutional Amendment takes effect upon being

10   declared adopted in accordance with Section 7 of the Illinois

11   Constitutional Amendment Act.