



HJ0031

LRB101 10661 MST 56096 r

1 HOUSE JOINT RESOLUTION

2 WHEREAS, Scientific evidence can be a difficult subject for
3 juries to understand; and

4 WHEREAS, Expert testimony can hold enough weight to sway
5 the opinion of a jury; and

6 WHEREAS, It is important that judges accurately fulfill
7 their roles as the initial gatekeepers of admitting into
8 evidence expert testimony that has sufficient guarantees of
9 being trustworthy and reliable, has withstood peer review,
10 and/or has otherwise applied robust and validated scientific
11 principles; therefore, be it

12 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE
13 HUNDRED FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE
14 SENATE CONCURRING HEREIN, that there is created the Task Force
15 on the Admissibility of Scientific Evidence and Expert Testimony
16 to study the standards of admission of expert testimony on
17 scientific evidence in the courtroom; and be it further

18 RESOLVED, That the Task Force shall study the following:

19 (1) The current standard for the admission of
20 scientific evidence and its effectiveness;

21 (2) The Daubert/Frye/Federal Rules Evidence Rule 702

1 standard and how it has worked for other states;

2 (3) Whether litigants are subject to "junk science" and
3 the effectiveness of courts in their gatekeeping roles;

4 (4) How frequently scientific evidence is challenged,
5 and how frequently judges permit such evidence to come
6 before the jury with or without limiting instructions;

7 (5) How a better structure for more rigorous review of
8 scientific evidence can be achieved at the admissibility
9 stage in Illinois courts; and

10 (6) The support resources available to judges for the
11 consideration and review of scientific evidence; and be it
12 further

13 RESOLVED, That the Task Force shall consist of the
14 following members, who shall serve without compensation:

15 (1) Two members of the House of Representatives
16 appointed by the Speaker of the House;

17 (2) Two members of the House of Representatives
18 appointed by the Minority Leader of the House;

19 (3) Two members of the Senate appointed by the
20 President of the Senate;

21 (4) Two members of the Senate appointed by the Minority
22 Leader of the Senate;

23 (5) Four members representing state's attorneys
24 appointed by the legislative members who have been
25 appointed to the Task Force;

1 (6) Four members representing public defenders
2 appointed by the legislative members who have been
3 appointed to the Task Force;

4 (7) Four members representing judges whose cases
5 regularly involve scientific evidence appointed by the
6 legislative members who have been appointed to the Task
7 Force; and

8 (8) Four members representing experts in the
9 scientific community appointed by the legislative members
10 who have been appointed to the Task Force; and be it
11 further

12 RESOLVED, That the Task Force shall meet for the first time
13 at the call of the legislative leaders and shall elect amongst
14 themselves a chairperson at the first meeting; and be it
15 further

16 RESOLVED, That the Task Force shall meet no less than once
17 a month for the 12 months following the first meeting; and be
18 it further

19 RESOLVED, That the Illinois State Bar Association shall
20 provide administrative support to the Task Force; and be it
21 further

22 RESOLVED, That the Task Force shall present its findings

1 and recommendations to the Governor and the General Assembly no
2 later than November 1, 2020, and, upon the filing of its
3 report, is dissolved.