



Sen. Elgie R. Sims, Jr.

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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 "Employer representative" means, with respect to wages,  
12 fringe benefits, hours, holidays, vacation, proficiency  
13 examinations, sick leave, and other conditions of employment:

14 (1) For court reporters employed by the ~~Cook County~~  
15 ~~Judicial~~ Circuit Court of Cook County, the chief judge of  
16 the ~~Cook County~~ Circuit Court of Cook County.

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

5           (3) For court reporters employed by all other judicial  
6           circuits, the chief judges of those circuits, acting  
7           jointly by majority vote.

8           The chief judge of the judicial circuit that employs a  
9           public employee who is a court reporter, as defined in this ~~the~~  
10          ~~Court Reporters~~ Act, has the authority to hire, appoint,  
11          promote, evaluate, discipline, and discharge court reporters  
12          within that judicial circuit.

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

14          (705 ILCS 70/3) (from Ch. 37, par. 653)

15          Sec. 3. Number; determination and certification. The  
16          number of full-time and part-time court reporters that may be  
17          appointed in each circuit shall be determined by the employer  
18          representative. In determining how many court reporters are  
19          needed in each circuit the employer representative shall  
20          consider the following factors: (1) case loads in the circuit;  
21          (2) the number of associate judges and circuit judges in the  
22          circuit; (3) (blank) ~~the number and location in the circuit of~~  
23          ~~major federal and state highways;~~ (4) (blank) ~~the location in~~  
24          ~~the circuit of state police highway truck weighing stations;~~  
25          (5) (blank) ~~the relationship of urban population to large~~

1 ~~metropolitan centers in the various counties of the circuit;~~  
2 (6) (blank) ~~the location in the circuit of state institutions~~  
3 ~~including, but not limited to, universities, colleges, mental~~  
4 ~~health facilities, penitentiaries; (7) (blank) the number of~~  
5 ~~cities and towns within each circuit in which regular court~~  
6 ~~sessions are held and the distance in road miles between each;~~  
7 and (8) any other factor deemed relevant by the employer  
8 representative.

9 The employer representative may, as the need arises,  
10 increase or lower the number of such court reporters so  
11 authorized.

12 ~~The Chief Judge of each circuit may designate any number of~~  
13 ~~approved full-time court reporter positions as time share~~  
14 ~~positions. For the purposes of this Act, "time share position"~~  
15 ~~means a full time court reporter position that is divided among~~  
16 ~~2 or more court reporters with the full time salary and~~  
17 ~~benefits being apportioned among the court reporters in the~~  
18 ~~same percentage as the duties of the full time position are~~  
19 ~~apportioned.~~

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

21 (705 ILCS 70/4) (from Ch. 37, par. 654)

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

1 chief judge.

2 Each court reporter appointed shall, before entering upon  
3 the duties of his or her office, take the official oath to  
4 faithfully discharge the duties of his or her office to the  
5 best of his or her knowledge and ability.

6 The appointments shall be in writing and shall be filed  
7 with the Clerk of the Circuit Court of the circuit in which the  
8 court reporters are employed and shall continue in force until  
9 revoked by the chief judge of the circuit in which the court  
10 reporter is appointed.

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

12 (705 ILCS 70/4.1) (from Ch. 37, par. 654.1)

13 Sec. 4.1. Appointment and salary of administrative  
14 personnel.

15 (a) The employer representative may authorize the chief  
16 judge of any ~~single county~~ circuit to appoint administrative,  
17 supervisory, and clerical staff when a need for such positions  
18 has been substantiated in which official court reporting  
19 services are centrally administered, (1) to appoint from among  
20 the court reporters appointed in the circuit an Administrator  
21 of Court Reporters, a Deputy Administrator of Court Reporters  
22 and 2 Assistant Administrators of Court Reporters, (2) to  
23 designate from among the court reporters appointed in the  
24 circuit one Reporter Supervisor and one Assistant Reporter  
25 Supervisor for each Department and Division of the circuit

1 ~~court, and (3) to appoint secretarial and other support staff~~  
2 ~~to assist the Administrator. Each Administrator, Deputy~~  
3 ~~Administrator, Assistant Administrator, Reporter Supervisor,~~  
4 ~~and Assistant Reporter Supervisor shall have an "A" proficiency~~  
5 ~~rating, by examination, as provided in Section 7.~~

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

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

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

21 ~~(B) Deputy Administrator of Court Reporters:~~  
22 ~~\$15,000 per year;~~

23 ~~(C) Assistant Administrators of Court Reporters:~~  
24 ~~\$13,000 per year;~~

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

26 ~~(E) Assistant Reporter Supervisors: \$5,000 per~~

1 ~~year.~~

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

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

7 (705 ILCS 70/5) (from Ch. 37, par. 655)

8 Sec. 5. Means of reporting; transcripts. The court reporter  
9 shall make a full reporting by means of stenographic ~~hand or~~  
10 ~~machine notes, or a combination thereof,~~ of the evidence and  
11 such other proceedings in trials and judicial proceedings to  
12 which he or she is assigned by the chief judge, and the court  
13 reporter may use an electronic instrument as a supplementary  
14 device. In the event that the court utilizes an audio or video  
15 recording system approved by the Supreme Court to record the  
16 proceedings, a court reporting services employee ~~reporter~~  
17 shall be in charge of such system; ~~however, the appointment of~~  
18 ~~a court reporter to be in charge of an audio or video recording~~  
19 ~~system shall not be required where such system is the judge's~~  
20 ~~personal property or has been supplied by a party or such~~  
21 ~~party's attorney.~~ To the extent that it does not substantially  
22 interfere with the court reporter's other official duties, ~~the~~  
23 ~~judge to whom, or a judge of the division to which,~~ a reporter  
24 may be ~~is~~ assigned ~~may assign a reporter~~ to secretarial or  
25 clerical duties arising out of official court operations.

1        A court reporting services employee may charge a page rate  
2 for the preparation of transcripts of court proceedings not to  
3 exceed the rate set by the employer representative in the  
4 Uniform Schedule of Charges for Transcripts.

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

12        ~~The transcripts shall be filed and remain with the papers~~  
13 ~~of the case. When the judge trying the case shall, of his own~~  
14 ~~motion, order a transcript of the court reporter's notes, the~~  
15 ~~judge may direct the payment of the charges therefor, and the~~  
16 ~~taxation of the charges as costs in such manner as to him may~~  
17 ~~seem just. Provided, that the charges for making but one~~  
18 ~~transcript shall be taxed as costs and the party first ordering~~  
19 ~~the transcript shall have preference unless it shall be~~  
20 ~~otherwise ordered by the court.~~

21        ~~The change made to this Section by this amendatory Act of~~  
22 ~~1987 is intended to apply retroactively from and after January~~  
23 ~~1, 1987.~~

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

25        (705 ILCS 70/6) (from Ch. 37, par. 656)

1           Sec. 6. Assignment to serve outside of county of  
2 appointment; Travel expenses.

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

12           The employer representative may assign a court reporter to  
13 temporary service outside his or her own circuit, but within  
14 the jurisdiction of the employer representative, with the  
15 consent of the chief judge ~~of his circuit~~. A court reporter  
16 shall be paid travel expenses incurred in connection with his  
17 or her official duties during such periods of temporary  
18 assignment.

19           Expense vouchers shall be submitted to the employer  
20 representative for approval. The expense vouchers or claims  
21 submitted to the Office of the Comptroller for payment ~~employer~~  
22 ~~representative~~ shall have ~~endorsed thereon~~ the signed approval  
23 of the chief judge of the circuit in which the court reporter  
24 is appointed ~~incurred the expense for which claim is made~~.

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



1 (705 ILCS 70/7) (from Ch. 37, par. 657)

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

24 ~~The test shall be administered at least every six months if~~  
25 ~~there are candidates or applicants for the test. Any court~~  
26 ~~reporter who has passed Part C of the test may apply to take~~

1 ~~the Part B or the Part A section of the test at the regular time~~  
2 ~~such tests are given. If the court reporter successfully~~  
3 ~~completes Part B or Part A of the test, his proficiency rating~~  
4 ~~shall be adjusted to reflect passage of the more difficult~~  
5 ~~Part.~~

6 ~~Any court reporter who served as a court reporter in a~~  
7 ~~circuit court for 5 years immediately preceding January 1, 1966~~  
8 ~~shall be certified as an official court reporter without~~  
9 ~~examination, and shall be credited with an "A" proficiency~~  
10 ~~rating, without examination.~~

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

12 (705 ILCS 70/8) (from Ch. 37, par. 658)

13 Sec. 8. Salaries.

14 (a) The salaries of all court reporters shall be paid by  
15 the State. ~~Full time court reporters shall be paid not less~~  
16 ~~than \$6,000 nor more than \$29,500 per year through June 30,~~  
17 ~~1984. Beginning July 1, 1984, full time court reporters shall~~  
18 ~~be paid not less than \$6,000 nor more than \$31,250 annually.~~  
19 ~~Beginning July 1, 1985, full time court reporters shall be paid~~  
20 ~~not less than \$6,000 nor more than \$33,250 annually. Beginning~~  
21 ~~July 1, 1986, full time court reporters shall be paid not less~~  
22 ~~than \$6,000 nor more than \$35,250 annually. Beginning July 1,~~  
23 ~~1987, full time court reporters shall be paid not less than~~  
24 ~~\$6,000 nor more than \$37,250 annually. Part time court~~  
25 ~~reporters shall be paid not less than \$12 nor more than \$60 per~~

1 ~~half day.~~ The salary of each individual court reporter shall be  
2 computed from a schedule adopted by the employer  
3 representative. The salary schedule shall reflect the  
4 following relevant factors: (1) proficiency rating; (2)  
5 experience; (3) population of the area to which a reporter is  
6 normally assigned; (3-1) court reporters shall receive the same  
7 annual percentage salary increase as provided to other  
8 State-paid non-judicial employees of the Judicial Branch with  
9 equivalent salaries, except that notwithstanding any other  
10 provision of law, salaries of full time court reporters shall  
11 be increased by at least a percentage increase equivalent to  
12 that of the "Employment Cost Index, Wages and Salaries, by  
13 Occupation and Industry Groups, State and Local Government  
14 Workers Public Administration", as published by the Bureau of  
15 Labor Statistics of the U.S. Department of Labor for the  
16 calendar year immediately preceding the year of the respective  
17 July 1st increase date. The increase shall be added to the then  
18 current annual salary and the adjusted salary so determined  
19 shall be the annual salary beginning July 1 of the increase  
20 year until July 1 of the next year; (4) other factors  
21 considered relevant by the employer representative ~~Director~~.

22 (b) (Blank).

23 (c) (Blank). ~~A court reporter who has previously passed, or~~  
24 ~~who hereafter passes, Part A or Part B of a proficiency test~~  
25 ~~prepared and administered by the employer representative shall~~  
26 ~~be credited with an "A" or "B" proficiency rating, as~~

1 ~~appropriate.~~

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

8 (e) The salaries of all official court reporters employed  
9 by the State shall be paid semi-monthly ~~monthly~~, from moneys  
10 appropriated to the Comptroller for that purpose, on the  
11 voucher of the chief judge of the circuit employing the court  
12 reporters. The Comptroller may require all salary claims by  
13 part-time reporters to be substantiated by certificates signed  
14 by the reporter and approved by the chief judge of the circuit.

15 (f) (Blank). ~~The salaries of time share court reporter~~  
16 ~~positions may be apportioned in the manner provided in Section~~  
17 ~~3 of this Act.~~

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

19 (705 ILCS 70/8.1)

20 Sec. 8.1. Appropriation request. Each employer  
21 representative shall make an annual appropriation request ~~in~~  
22 ~~January~~ to the General Assembly to fund court reporters. When  
23 necessary, an employer representative may request supplemental  
24 appropriations to fund court reporters.

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

1 (705 ILCS 70/8.2)

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

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

16 (705 ILCS 70/8.5)

17 Sec. 8.5. Advisory arbitration for collective bargaining.

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

21 (b) Any party to a collective bargaining agreement with the  
22 exclusive bargaining representative chosen under Section 8.2  
23 may request that any matter concerning wages, hours, or terms  
24 and conditions of employment of court reporters shall be

1 submitted to advisory, non-binding arbitration and that the  
2 employer representative ~~Supreme Court~~ shall appoint  
3 arbitrators. Upon receiving such a request, the employer  
4 representative ~~Court~~ shall appoint a panel of one or more  
5 arbitrators and submit the matter to the panel for advisory,  
6 non-binding arbitration. The employer representative ~~Court~~  
7 shall consult with the parties in determining acceptable  
8 arbitrators.

9 (c) Arbitrators appointed by the employer representative  
10 ~~Supreme Court~~ under this Section are entitled to compensation  
11 and to reimbursement for their reasonable expenses actually  
12 incurred in performing their duties, as provided by rules  
13 adopted by the employer representative ~~Court~~. Arbitrators'  
14 compensation and reimbursement shall be paid from moneys  
15 appropriated for that purpose.

16 (d) The employer representative ~~Supreme Court~~ shall create  
17 a roster of arbitrators who are available and qualified for  
18 appointment under this Section, ~~as provided by rules adopted by~~  
19 ~~the Court~~.

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