



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3956

Introduced 2/22/2021, by Rep. Joyce Mason

SYNOPSIS AS INTRODUCED:

705 ILCS 110/1

from Ch. 37, par. 328

Amends the Circuit court Clerk Regulation Act. Includes a remand, release, mittimus, bond conditions order, court supervision order, conditional discharge order, probation order, or other order as a document that a clerk or deputy clerk of a circuit court shall not prepare or draft which is to be filed or recorded in the court in which he or she is clerk or deputy clerk. Provides that a clerk or deputy clerk shall prepare or draft any document, which is to be filed or recorded in the court in which he or she is clerk or deputy clerk, that the clerk is by some statute authorized to draft or prepare (instead of "by law required, or by some statute authorized to draft or prepare").

LRB102 11747 LNS 17081 b

1 AN ACT concerning courts.

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

4 Section 5. The Circuit Court Clerk Regulation Act is
5 amended by changing Section 1 as follows:

6 (705 ILCS 110/1) (from Ch. 37, par. 328)

7 Sec. 1. It shall be unlawful for any clerk or deputy clerk
8 of a circuit court to prepare or draft any document,
9 including, but not limited to, a remand, release, mittimus,
10 bond conditions order, court supervision order, conditional
11 discharge order, probation order, or other order, which is to
12 be filed or recorded in the court in which he or she is clerk
13 or deputy clerk, except such documents as such clerks are ~~by~~
14 ~~law required, or~~ by some statute authorized to draft or
15 prepare; and that it shall be unlawful for any such clerk or
16 deputy clerk to act as an administrator, executor or guardian,
17 or to act as a trustee by appointment (of any court of which he
18 or she is clerk or deputy clerk) or of the last will of any
19 person who is not a family member of the clerk or deputy clerk.

20 For purposes of this Section, "family member" shall mean a
21 spouse; child, natural or adopted; parent; brother; or sister
22 of the clerk or deputy clerk.

23 (Source: P.A. 87-713.)