

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 1. Short title. This Act may be cited as the
5 Reviewing Court Alternative Dispute Resolution Act.

6 Section 5. Purpose. Conflict resolution techniques such as
7 mediation, settlement conferences, arbitration, and other
8 alternative forms of dispute resolution may reduce costs for
9 civil litigants and simplify issues and reduce caseloads in the
10 reviewing courts. The purpose of this Act is to facilitate the
11 funding of alternative dispute resolution programs in the
12 reviewing courts should the Supreme Court, in its discretion,
13 adopt rules to establish such programs in Illinois.

14 Section 10. Reviewing Court Alternative Dispute Resolution
15 Fund. The Reviewing Court Alternative Dispute Resolution Fund
16 is created as a special fund in the State Treasury. The Supreme
17 Court may designate an amount to be included in the filing fees
18 collected by the clerks of the Appellate Court for the funding
19 of alternative dispute resolution programs in the reviewing
20 courts. The portion of the filing fees designated for
21 alternative dispute resolution programs in the reviewing
22 courts shall be remitted within one month after receipt to the
23 State Treasurer for deposit in the Reviewing Court Alternative
24 Dispute Resolution Fund. All money in the Reviewing Court
25 Alternative Dispute Resolution Fund shall be maintained in
26 separate accounts for each Appellate Court district that has
27 established approved alternative dispute resolution programs
28 pursuant to Supreme Court rule and used, subject to
29 appropriation, by the Supreme Court solely for the purpose of
30 funding alternative dispute resolution programs in the
31 reviewing courts.

1 Section 15. Alternative Dispute Resolution Programs in the
2 Reviewing Courts. The practice, procedure, and administration
3 of alternative dispute resolution programs in the reviewing
4 courts shall be as provided by Supreme Court rule. The Uniform
5 Arbitration Act, the Uniform Mediation Act, and other statutory
6 provisions relating to arbitration, mediation, or other forms
7 of alternative dispute resolution shall not be applicable to
8 any alternative dispute resolution program in the reviewing
9 courts, except as provided by Supreme Court rule.

10 Section 20. Expenses. The expenses of conducting
11 alternative dispute resolution programs in the reviewing
12 courts shall be determined by the Supreme Court and paid from
13 the State Treasury on the warrant of the Comptroller out of
14 appropriations made for that purpose by the General Assembly.

15 Section 70. The State Finance Act is amended by adding
16 Section 5.625 as follows:

17 (30 ILCS 105/5.625 new)

18 Sec. 5.625. The Reviewing Court Alternative Dispute
19 Resolution Fund.

20 Section 80. The Appellate Court Act is amended by changing
21 Section 3 as follows:

22 (705 ILCS 25/3) (from Ch. 37, par. 27)

23 Sec. 3. Clerk's salary - destruction of records. The
24 ordinary and contingent expenses of operating the offices of
25 the clerks of the branches of the Appellate Court, including
26 salaries, shall be determined by the Supreme Court and paid
27 from the State Treasury on the warrant of the Comptroller out
28 of appropriations made for that purpose by the General
29 Assembly. The clerk of each branch of the appellate court shall
30 perform the duties usually devolving upon clerks of courts in

1 this State, and shall provide books, stationery and seals for
2 the appellate courts, and shall be entitled to receive the same
3 fees for services in each branch of the appellate court as are
4 allowed for like services in the Supreme Court. At the time of
5 filing a petition or record, the petitioner or appellant shall
6 pay to the Clerk of the Appellate Court the sum of \$25, plus
7 the amount designated for alternative dispute resolution
8 programs in the reviewing courts as provided in the Reviewing
9 Court Alternative Dispute Resolution Act. The respondent or
10 appellee, before entering an appearance or filing any paper,
11 shall pay to the Clerk of the Appellate Court the sum of \$15,
12 plus the amount designated for alternative dispute resolution
13 programs in the reviewing courts as provided in the Reviewing
14 Court Alternative Dispute Resolution Act. All fees paid to or
15 received by any such clerk shall be paid into the State
16 treasury as required by Section 2 of "An Act in relation to the
17 payment and disposition of moneys received by officers and
18 employees of the State of Illinois by virtue of their office or
19 employment", approved June 9, 1911, as amended, except that the
20 portion of filing fees designated for alternative dispute
21 resolution programs in the reviewing courts as provided in the
22 Reviewing Court Alternative Dispute Resolution Act shall,
23 within one month after receipt, be remitted to the State
24 Treasurer for deposit in the Reviewing Court Alternative
25 Dispute Resolution Fund.

26 The clerks shall, on the order and under the direction of
27 the court, destroy any or all the records certified by the
28 clerk (or a judge) of a trial court in cases finally decided
29 more than 21 years prior to the entry of the order.

30 (Source: P.A. 83-294.)

31 Section 85. The Lawyers' Assistance Program Act amended by
32 changing Sections 5 and 10 as follows:

33 (705 ILCS 235/5)

34 Sec. 5. Definition. For the purposes of this Act, "lawyers'

1 assistance program" means a program operated by a
2 not-for-profit corporation that is exempt from the payment of
3 federal taxes under Section 501(c)(3) of the Internal Revenue
4 Code and that provides services that may include the provision
5 of information on addiction and mental health impairments,
6 referrals to treatment programs, peer assistance, prevention
7 education, interventions, relapse prevention, and monitoring
8 of compliance with treatment programs for attorneys and law
9 students.

10 (Source: P.A. 92-747, eff. 7-31-02.)

11 (705 ILCS 235/10)

12 Sec. 10. Support for lawyers' assistance programs. The
13 Illinois Supreme Court may support programs that provide
14 assistance to attorneys and law students who are addicted to or
15 abuse alcohol or other drugs or who are in need of mental
16 health assistance.

17 (Source: P.A. 92-747, eff. 7-31-02.)

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.