

SB0630



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB0630

Introduced 2/8/2007, by Sen. Kirk W. Dillard

SYNOPSIS AS INTRODUCED:

735 ILCS 5/2-1106

from Ch. 110, par. 2-1106

Amends the Code of Civil Procedure. Provides that (at present, 1 or 2) 1 or more alternate jurors may be impanelled. Provides that at the time the jury retires to deliberate an alternate juror may (at present, shall) be discharged. Effective immediately.

LRB095 10571 AJO 30792 b

A BILL FOR

1 AN ACT concerning civil law.

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

4 Section 5. The Code of Civil Procedure is amended by
5 changing Section 2-1106 as follows:

6 (735 ILCS 5/2-1106) (from Ch. 110, par. 2-1106)

7 Sec. 2-1106. Peremptory challenges - Alternate jurors. (a)
8 Each side shall be entitled to 5 peremptory challenges. If
9 there is more than one party on any side, the court may allow
10 each side additional peremptory challenges, not to exceed 3, on
11 account of each additional party on the side having the
12 greatest number of parties. Each side shall be allowed an equal
13 number of peremptory challenges. If the parties on a side are
14 unable to agree upon the allocation of peremptory challenges
15 among themselves, the allocation shall be determined by the
16 court.

17 (b) The court may direct that 1 or more ~~2~~ jurors in
18 addition to the regular panel be impanelled to serve as
19 alternate jurors. Alternate jurors, in the sequence in which
20 they are ordered into the jury box, shall replace jurors who,
21 prior to the time the jury retires to consider its verdict,
22 become unable to perform their duties. Alternate jurors shall
23 be drawn in the same manner, have the same qualifications, be

1 subject to the same examination and challenges, take the same
2 oath, and have the same functions, powers, facilities, and
3 privileges as the principal jurors. An alternate juror who does
4 not replace a principal juror may ~~shall~~ be discharged at the
5 time the jury retires to consider its verdict. If alternate
6 jurors are called each side shall be allowed one additional
7 peremptory challenge, regardless of the number of alternate
8 jurors called. The additional peremptory challenge may be used
9 only against an alternate juror, but any unexercised peremptory
10 challenges may be used against an alternate juror.

11 (Source: P.A. 83-707.)

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.