



Rep. Barbara Flynn Currie

Filed: 5/29/2011

09700SB0063ham001

LRB097 02765 AJ0 56510 a

1 AMENDMENT TO SENATE BILL 63

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 63 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Circuit Courts Act is amended by changing  
5 Sections 1 and 2f-9 and by adding Sections 2f-10 and 2f-11 as  
6 follows:

7 (705 ILCS 35/1) (from Ch. 37, par. 72.1)

8 Sec. 1. Judicial circuits created. The county of Cook shall  
9 be one judicial circuit and the State of Illinois, exclusive of  
10 the county of Cook, shall be and is divided into judicial  
11 circuits as follows:

12 First Circuit--The counties of Alexander, Pulaski, Massac,  
13 Pope, Johnson, Union, Jackson, Williamson and Saline.

14 Second Circuit--The counties of Hardin, Gallatin, White,  
15 Hamilton, Franklin, Wabash, Edwards, Wayne, Jefferson,  
16 Richland, Lawrence and Crawford.

1 Third Circuit--The counties of Madison and Bond.

2 Fourth Circuit--The counties of Clinton, Marion, Clay,  
3 Fayette, Effingham, Jasper, Montgomery, Shelby and Christian.

4 Fifth Circuit--The counties of Vermilion, Edgar, Clark,  
5 Cumberland and Coles.

6 Sixth Circuit--The counties of Champaign, Douglas,  
7 Moultrie, Macon, DeWitt and Piatt.

8 Seventh Circuit--The counties of Sangamon, Macoupin,  
9 Morgan, Scott, Greene and Jersey.

10 Eighth Circuit--The counties of Adams, Schuyler, Mason,  
11 Cass, Brown, Pike, Calhoun and Menard.

12 Ninth Circuit--The counties of Knox, Warren, Henderson,  
13 Hancock, McDonough and Fulton.

14 Tenth Circuit--The counties of Peoria, Marshall, Putnam,  
15 Stark and Tazewell.

16 Eleventh Circuit--The counties of McLean, Livingston,  
17 Logan, Ford and Woodford.

18 Twelfth Circuit--The county of Will.

19 Thirteenth Circuit--The counties of Bureau, LaSalle and  
20 Grundy.

21 Fourteenth Circuit--The counties of Rock Island, Mercer,  
22 Whiteside and Henry.

23 Fifteenth Circuit--The counties of JoDaviess, Stephenson,  
24 Carroll, Ogle and Lee.

25 Sixteenth Circuit--Before December 3, 2012, the counties  
26 of Kane, DeKalb, and Kendall. On and after December 3, 2012,

1 the County of Kane. ~~The counties of Kane, DeKalb and Kendall.~~

2 Seventeenth Circuit--The counties of Winnebago and Boone.

3 Eighteenth Circuit--The county of DuPage.

4 Nineteenth Circuit--Before December 4, 2006, the counties  
5 of Lake and McHenry. On and after December 4, 2006, the County  
6 of Lake.

7 Twentieth Circuit--The counties of Randolph, Monroe, St.  
8 Clair, Washington and Perry.

9 Twenty-first Circuit--The counties of Iroquois and  
10 Kankakee.

11 Twenty-second Circuit--On and after December 4, 2006, the  
12 County of McHenry.

13 Twenty-third Circuit--On and after December 3, 2012, the  
14 counties of DeKalb and Kendall.

15 (Source: P.A. 93-541, eff. 8-18-03.)

16 (705 ILCS 35/2f-9)

17 Sec. 2f-9. 16th judicial circuit; subcircuits.

18 (a) The 16th circuit shall be divided into 4 ~~5~~ subcircuits.  
19 Subcircuits 1, 2, and 4 of the 16th circuit in existence on  
20 April 15, 2011 shall continue to use their established  
21 boundaries in the new 16th Circuit as of December 3, 2012.  
22 Subcircuit 3 in existence on April 15, 2011 shall continue to  
23 use its established boundary until December 3, 2012 or until  
24 the conclusion of the existing term of office, following the  
25 2012 general election, and upon the conclusion of the existing

1 term of office, the new boundary shall go into effect. The new  
2 boundary for subcircuit 3 shall contain and be made up of the  
3 following townships in the county of Kane, excluding the  
4 portions of the townships currently served by subcircuit 1, 2,  
5 or 4: Blackberry, Big Rock, Burlington, Campton, Hampshire,  
6 Kaneville, Plato, Rutland, Sugar Grove, and Virgil. The  
7 subcircuits shall be compact, contiguous, and substantially  
8 equal in population. The General Assembly by law shall create  
9 the subcircuits, using population data as determined by the  
10 2000 federal census, and shall determine a numerical order for  
11 the 4 ~~5~~ subcircuits. That numerical order shall be the basis  
12 for the order in which resident judgeships are assigned to the  
13 subcircuits. Once a resident judgeship is assigned to a  
14 subcircuit, it shall continue to be assigned to that subcircuit  
15 for all purposes.

16 (b) (Blank). ~~Of the 16th circuit's 16 circuit judgeships~~  
17 ~~existing on April 7, 2005 (7 at large and 9 resident), but not~~  
18 ~~including the 3 resident judgeships added by this amendatory~~  
19 ~~Act of the 96th General Assembly, 5 of the 9 resident~~  
20 ~~judgeships shall be allotted as 16th circuit resident~~  
21 ~~judgeships under subsection (c) as (i) the first resident~~  
22 ~~judgeship of DeKalb County, (ii) the first resident judgeship~~  
23 ~~of Kendall County, and (iii) the first 2 resident judgeships of~~  
24 ~~Kane County are or become vacant on or after the effective date~~  
25 ~~of this amendatory Act of the 93rd General Assembly, and (iv)~~  
26 ~~the first resident judgeship of Kane County (in addition to the~~

1 ~~2 vacancies under item (iii)) is or becomes vacant after the~~  
2 ~~effective date of this amendatory Act of the 94th General~~  
3 ~~Assembly. These 5 resident subcircuit judgeships and the~~  
4 ~~remaining 7 resident judgeships shall constitute all of the~~  
5 ~~resident judgeships of the 16th circuit. As used in this~~  
6 ~~subsection, a vacancy does not include the expiration of a term~~  
7 ~~of a resident judge who seeks retention in that office at the~~  
8 ~~next term.~~

9 (c) ~~The Supreme Court shall allot the first eligible DeKalb~~  
10 ~~County vacancy, the first eligible Kendall County vacancy, and~~  
11 ~~the first 3 eligible Kane County vacancies in resident~~  
12 ~~judgeships of the 16th circuit as provided in subsection (b),~~  
13 ~~for election from the various subcircuits. The judgeships shall~~  
14 ~~be assigned to the subcircuits based upon the numerical order~~  
15 ~~of the 5 subcircuits.~~ No resident judge of the 16th circuit  
16 serving on the effective date of this amendatory Act of the  
17 93rd General Assembly shall be required to change his or her  
18 residency in order to continue serving in office or to seek  
19 retention in office as judgeships are allotted by the Supreme  
20 Court in accordance with this Section. No resident judge  
21 elected from a subcircuit serving on the effective date of this  
22 amendatory Act of the 97th General Assembly shall be required  
23 to change his or her residency in order continue serving in  
24 office until the 2012 general election, or until the conclusion  
25 of the existing term.

26 (d) A resident judge elected from a subcircuit shall

1 continue to reside in that subcircuit as long as he or she  
2 holds that office. A resident judge elected from a subcircuit  
3 after January 1, 2008, must retain residency as a registered  
4 voter in the subcircuit to run for retention from the circuit  
5 at large thereafter. A resident judge elected from a subcircuit  
6 after January 1, 2011, must retain residency as a registered  
7 voter in the subcircuit to run for retention from the circuit  
8 at large thereafter.

9 (e) Vacancies in resident judgeships of the 16th circuit  
10 shall be filled in the manner provided in Article VI of the  
11 Illinois Constitution.

12 (Source: P.A. 95-610, eff. 9-11-07; 96-108, eff. 7-30-09.)

13 (705 ILCS 35/2f-10 new)

14 Sec. 2f-10. 16th and 23rd judicial circuits.

15 (a) On December 3, 2012, the 16th judicial circuit is  
16 divided into the 16th and 23rd judicial circuits as provided in  
17 Section 1 of the Circuit Courts Act. This division does not  
18 invalidate any action taken by the 16th judicial circuit or any  
19 of its judges, officers, employees, or agents before December  
20 3, 2012. This division does not affect any person's rights,  
21 obligations, or duties, including applicable civil and  
22 criminal penalties, arising out of any action taken by the 16th  
23 judicial circuit or any of its judges, officers, employees, or  
24 agents before December 3, 2012.

25 (b) The Supreme Court shall assign to the 16th circuit the

1 7 circuit judgeships elected at large in the 16th circuit  
2 before and at the general election in 2012. The 3 resident  
3 judgeships elected from Kane County before the general election  
4 of 2012 shall become at-large circuit judgeships on December 3,  
5 2012. An individual seeking election to one of the 7 judgeships  
6 at large or a judge seeking retention to one of the 7  
7 judgeships at large at the general election in 2012, shall seek  
8 election or retention solely within the boundaries of Kane  
9 County. The 7 circuit judgeships assigned to the 16th circuit  
10 shall continue to be elected at large, and the 3 resident  
11 judges shall be elected at large at the first general election  
12 following the expiration of a term of office. Of the 7 circuit  
13 judgeships elected at large as of April 15, 2011, and the 3  
14 resident judgeships elected from Kane County before the general  
15 election of 2012 converting to at large judgeships on December  
16 3, 2012, the first vacancy occurring after December 3, 2012  
17 shall be assigned to the 23rd circuit as a Kendall County  
18 resident judge. As used in this subsection, a vacancy does not  
19 include the expiration of a term of an at large judge or of a  
20 resident judge who intends to seek retention in that office at  
21 the next term.

22 (c) The 3 resident judgeships elected from DeKalb County  
23 before the general election in 2012 shall become resident  
24 judgeships from DeKalb County in the 23rd circuit on December  
25 3, 2012, and the 2 resident judgeships elected from Kendall  
26 County before the general election in 2012 shall become

1 resident judgeships from Kendall County in the 23rd circuit on  
2 December 3, 2012.

3 (d) The 4 subcircuit judgeships of the 16th circuit elected  
4 as of April 15, 2011, shall become the 4 subcircuit judgeships  
5 of the 16th circuit as established in Section 2f-9. The  
6 remaining unfilled subcircuit of the 16th circuit as of April  
7 15, 2011 shall be eliminated. If the judgeship of the 5th  
8 subcircuit of the 16th circuit is filled prior to the effective  
9 date of this amendatory Act of the 97th General Assembly, that  
10 judgeship shall be eliminated on December 3, 2012.

11 (e) On December 3, 2012, the Supreme Court shall allocate  
12 the associate judgeships of the 16th circuit before that date  
13 between the 16th and 23rd circuits. The number of associate  
14 judges allocated to the 23rd circuit shall be no less than 5.

15 (f) On December 3, 2012, the Supreme Court shall allocate  
16 personnel, books, records, documents, property (real and  
17 personal), funds, assets, liabilities, and pending matters  
18 concerning the 16th circuit before that date between the 16th  
19 and 23rd circuits based on the population and staffing needs of  
20 those circuits and the efficient and proper administration of  
21 the judicial system. The rights of employees under applicable  
22 collective bargaining agreements are not affected by this  
23 amendatory Act of the 97th General Assembly.

24 (g) The judgeships set forth in this Section include the  
25 judgeships authorized under Sections 2g, 2h, 2j, 2k, 2m, and  
26 2n. The judgeships authorized in those Sections are not in



1 addition to those set forth in this Section.

2 (705 ILCS 35/2f-11 new)

3 Sec. 2f-11. 23rd judicial circuit.

4 (a) The 23rd circuit shall have a total of 6 resident  
5 judgeships (5 resident judgeships existing on the effective  
6 date of this amendatory Act of the 97th General Assembly, and  
7 the resident judgeship for Kendall County created by the first  
8 vacancy of an at large resident judgeship or resident judgeship  
9 in the new 16th circuit).

10 (b) Vacancies in resident judgeships of the 23rd circuit  
11 shall be filled in the manner provided in Article VI of the  
12 Illinois Constitution."