



Sen. Don Harmon

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LRB103 33243 JRC 73912 a

1 AMENDMENT TO HOUSE BILL 4226

2 AMENDMENT NO. _____. Amend House Bill 4226 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Circuit Courts Act is amended by changing
5 Section 2f as follows:

6 (705 ILCS 35/2f) (from Ch. 37, par. 72.2f)

7 Sec. 2f. Circuit of Cook County.

8 (a) Until December 2, 2024, the Circuit of Cook County
9 shall be divided into 15 units to be known as subcircuits. On
10 and after December 2, 2024, the Circuit of Cook County is
11 divided into 20 subcircuits as drawn by the General Assembly.
12 The subcircuits shall be compact, contiguous, and
13 substantially equal in population. Beginning in 2031, the
14 General Assembly shall, in the year following each federal
15 decennial census, redraw the boundaries of the subcircuits to
16 reflect the results of the most recent federal decennial

1 census.

2 In accordance with subsection (d), a resident judgeship
3 assigned to a subcircuit shall continue to be assigned to that
4 subcircuit. Any vacancy in a resident judgeship existing on or
5 occurring after the effective date of a law redrawing the
6 boundaries of the subcircuits shall be filled by a resident of
7 the redrawn subcircuit.

8 (b) The 165 resident judges to be elected from the Circuit
9 of Cook County shall be determined under paragraph (4) of
10 subsection (a) of Section 2 of the Judicial Vacancies Act.

11 (c) For resident judgeships to be filled by election on or
12 before the 2022 general election, the Supreme Court shall
13 allot (i) the additional resident judgeships provided by
14 paragraph (4) of subsection (a) of Section 2 of the Judicial
15 Vacancies Act and (ii) all vacancies in resident judgeships
16 existing on or occurring on or after the effective date of this
17 amendatory Act of 1990, with respect to the other resident
18 judgeships of the Circuit of Cook County, for election from
19 the various subcircuits until there are 11 resident judges to
20 be elected from each of the 15 subcircuits (for a total of
21 165). A resident judgeship authorized before the effective
22 date of this amendatory Act of 1990 that became vacant and was
23 filled by appointment by the Supreme Court before that
24 effective date shall be filled by election at the general
25 election in November of 1992 from the unit of the Circuit of
26 Cook County within Chicago or the unit of that Circuit outside

1 Chicago, as the case may be, in which the vacancy occurred.

2 (d) As soon as practicable after the subcircuits are
3 created by law, the Supreme Court shall determine by lot a
4 numerical order for the 15 subcircuits. That numerical order
5 shall be the basis for the order in which resident judgeships
6 are assigned to the subcircuits. After the first round of
7 assignments, the second and all later rounds shall be based on
8 the same numerical order. Once a resident judgeship is
9 assigned to a subcircuit, it shall continue to be assigned to
10 that subcircuit for all purposes; provided that a resident
11 judge elected from a subcircuit seeking retention shall run
12 for retention at large in the circuit in accordance with
13 Article VI, Section 12(d) of the Illinois Constitution. No
14 elected judge of the Circuit of Cook County serving on January
15 7, 2022 shall be required to change his or her residency in
16 order to continue serving in office or to seek retention in
17 office as resident judgeships are allotted by the Supreme
18 Court in accordance with this Section.

19 (d-5) For resident judgeships to be filled by election on
20 or after the 2024 general election, a vacancy of a resident
21 judgeship to be elected from a subcircuit shall be allotted by
22 the Supreme Court to the subcircuit created under the Judicial
23 Circuits Districting Act of 2022 that numerically corresponds
24 to the subcircuit from which the resident judgeship was
25 previously allotted. For any resident judgeship to be elected
26 from a subcircuit that was not previously allotted to a

1 subcircuit, vacancies shall be allotted in numerical order to
2 subcircuits created under the Judicial Circuits Districting
3 Act of 2022 which numerically correspond to subcircuits that
4 had less than 11 resident judges on January 7, 2022 until there
5 are 11 resident judges to be elected from each of the
6 respective subcircuits. Vacancies in associate judgeships
7 authorized under Section 2(a) of the Associate Judges Act
8 occurring or after June 1, 2023 shall be converted to resident
9 circuit judgeships and shall be allotted in numerical order to
10 subcircuits ~~Any vacancies in formerly associate judgeships~~
11 ~~converted to resident circuit judgeships in the Circuit of~~
12 ~~Cook County occurring on or after June 1, 2023 shall be~~
13 ~~allotted in numerical order to Judicial Subcircuits 16, 17,~~
14 ~~18, 19, and 20,~~ until there are 11 resident judges to be
15 elected from each of those subcircuits (for a total of 55).
16 Beginning with the 2024 election cycle, the ~~The~~ maximum number
17 of ~~formerly~~ associate judgeship vacancies which shall be
18 judgeships converted to resident circuit judgeships to which
19 ~~may be allotted to Judicial Subcircuits 16, 17, 18, 19, and 20~~
20 in an election cycle shall be 10 resident circuit ~~2~~
21 judgeships, with each subcircuit allotted no more than 2
22 resident circuit judgeships per election cycle. Any additional
23 associate judgeship vacancies in excess of the maximum number
24 per election cycle shall not be converted to resident circuit
25 judgeships and shall be filled according to Supreme Court Rule
26 39 until such time that a vacancy in the associate judgeship

1 occurs. A vacancy occurs when an associate judge dies,
2 resigns, retires, is removed, or is not reappointed upon the
3 expiration of his or her term; a vacancy does not occur at the
4 expiration of a term if the associate judge is reappointed. As
5 used in this subsection, "election cycle" means the period
6 that begins on the day following the last day to certify
7 judicial vacancies for election at the next general election
8 and ends on the last day to certify judicial vacancies for
9 election at the next general election, as provided in Section
10 25-3 of the Election Code ~~subcircuit.~~

11 (e) A resident judge elected from a subcircuit shall
12 continue to reside in that subcircuit as long as he or she
13 holds that office. A resident judge elected from a subcircuit
14 after January 1, 2008, must retain residency as a registered
15 voter in the subcircuit to run for retention from the circuit
16 at large thereafter.

17 (Source: P.A. 101-477, eff. 6-1-20; 102-668, eff. 11-15-21;
18 102-693, eff. 1-7-22; 102-1126, eff. 2-10-23.)

19 Section 10. The Associate Judges Act is amended by
20 changing Section 2 as follows:

21 (705 ILCS 45/2) (from Ch. 37, par. 160.2)

22 Sec. 2. (a) The maximum number of associate judges
23 authorized for each circuit is the greater of the applicable
24 minimum number specified in this Section or one for each

1 35,000 or fraction thereof in population as determined by the
2 last preceding Federal census, except for circuits with a
3 population of more than 3,000,000 where the maximum number of
4 associate judges is one for each 29,000 or fraction thereof in
5 population as determined by the last preceding federal census,
6 reduced in circuits of less than 200,000 inhabitants by the
7 number of resident circuit judges elected in the circuit in
8 excess of one per county, except that the maximum number of
9 associate judges authorized for the 24th circuit shall be 3.
10 In addition, in circuits of 1,000,000 or more inhabitants,
11 there shall be one additional associate judge authorized for
12 each municipal district of the circuit court. The number of
13 associate judges to be appointed in each circuit, not to
14 exceed the maximum authorized, shall be determined from time
15 to time by the Circuit Court. The minimum number of associate
16 judges authorized for any circuit consisting of a single
17 county shall be 14, except that the minimum in the 22nd circuit
18 shall be 8, the minimum in the 19th circuit on and after
19 December 4, 2006 shall be 20, and the maximum number of
20 associate judges in the 20th circuit on and after December 5,
21 2022 shall be 12. The minimum number of associate judges
22 authorized for any circuit consisting of 2 counties with a
23 combined population of at least 275,000 but less than 300,000
24 shall be 10. The minimum number of associate judges authorized
25 for any circuit with a population of at least 303,000 but not
26 more than 309,000 shall be 10. The minimum number of associate

1 judges authorized for any circuit with a population of at
2 least 329,000, but not more than 349,999 shall be 11. The
3 minimum number of associate judges authorized for any circuit
4 with a population of at least 173,000 shall be 5. The number of
5 associate judges authorized for a circuit shall not be reduced
6 as a result of the 2020 federal decennial census. As used in
7 this Section, the term "resident circuit judge" has the
8 meaning given it in the Judicial Vacancies Act.

9 (b) The maximum number of associate judges authorized
10 under subsection (a) for a circuit with a population of more
11 than 3,000,000 shall be reduced as provided in this subsection
12 (b). For each vacancy that exists on or occurs on or after the
13 effective date of this amendatory Act of 1990, that maximum
14 number shall be reduced by one until the total number of
15 associate judges authorized under subsection (a) is reduced by
16 60. A vacancy exists or occurs when an associate judge dies,
17 resigns, retires, is removed, or is not reappointed upon
18 expiration of his or her term; a vacancy does not exist or
19 occur at the expiration of a term if the associate judge is
20 reappointed.

21 (b-5) The maximum number of associate judges authorized
22 under subsection (a) for a circuit with a population of more
23 than 3,000,000 shall be reduced as provided in this subsection
24 (b-5). Vacancies in associate judgeships authorized under
25 subsection (a) occurring on or after June 1, 2023 shall be
26 converted to resident circuit judgeships and shall be allotted

1 in numerical order to subcircuits 16, 17, 18, 19, and 20 ~~Each~~
2 ~~associate judgeship vacancy that occurs on or after June 1,~~
3 ~~2023 shall be converted to a resident circuit judgeship and~~
4 ~~allotted to a subcircuit pursuant to subsection (d-5) of~~
5 Section 2f of the Circuit Courts Act, with each subcircuit
6 allotted no more than a total of 11 resident circuit
7 judgeships. Each election cycle, beginning with the 2024
8 election cycle, a maximum of 10 associate judgeship vacancies
9 shall be converted to resident circuit judgeships pursuant to
10 subsection (d-5) of Section 2f of the Circuit Courts Act ~~and~~
11 ~~that maximum number shall be reduced by one~~ until the total
12 number of associate judges authorized under subsection (a) is
13 reduced by 55. The maximum number of ~~formerly~~ associate
14 judgeships which may be converted to resident circuit
15 judgeships and which may be allotted ~~to subcircuits 16, 17,~~
16 ~~18, 19, and 20~~ in an election cycle shall be 10 ~~2~~ judgeships
17 with each ~~per~~ subcircuit being allotted no more than 2
18 resident circuit judgeships per election cycle. Any additional
19 associate judgeship vacancies in excess of the maximum number
20 per election cycle shall not be converted to resident circuit
21 judgeships and shall be filled according to Supreme Court Rule
22 39 until such time that a vacancy in the associate judgeship
23 occurs. A vacancy occurs when an associate judge dies,
24 resigns, retires, is removed, or is not reappointed upon
25 expiration of his or her term; a vacancy does not occur at the
26 expiration of a term if the associate judge is reappointed. As

1 used in this subsection, "election cycle" means the period
2 that begins on the day following the last day to certify
3 judicial vacancies for election at the next general election
4 and ends on the last day to certify judicial vacancies for
5 election at the next general election, as provided in Section
6 25-3 of the Election Code.

7 (c) The maximum number of associate judges authorized
8 under subsection (a) for the 17th judicial circuit shall be
9 reduced as provided in this subsection (c). Due to the vacancy
10 that exists on or after the effective date of this amendatory
11 Act of the 93rd General Assembly in the associate judgeship
12 that is converted into a resident judgeship under subsection
13 (a-10) of Section 2f-6 of the Circuit Courts Act, the maximum
14 number of judges authorized under subsection (a) of this
15 Section shall be reduced by one. A vacancy exists or occurs
16 when an associate judge dies, resigns, retires, is removed, or
17 is not reappointed upon expiration of his or her term; a
18 vacancy does not exist or occur at the expiration of a term if
19 the associate judge is reappointed.

20 (d) The maximum number of associate judges authorized
21 under subsection (a) for the 23rd judicial circuit shall be
22 reduced as provided in this subsection (d). Due to the vacancy
23 that exists on or after the effective date of this amendatory
24 Act of the 98th General Assembly in the associate judgeship
25 that is converted into a resident judgeship under subsection
26 (k) of Section 2f-10 of the Circuit Courts Act, the maximum

1 number of judges authorized under subsection (a) of this
2 Section shall be reduced by one.

3 (Source: P.A. 102-693, eff. 1-7-22; 102-1126, eff. 2-10-23.)

4 Section 15. The Court Reporters Act is amended by changing
5 Section 7 as follows:

6 (705 ILCS 70/7) (from Ch. 37, par. 657)

7 Sec. 7. Proficiency tests. Each court reporter may be
8 required by the chief judge to ~~shall~~ take a test to verify his
9 or her proficiency within one year of employment. The test
10 shall be prepared and administered by the employer
11 representative in consultation with each of the other employer
12 representatives pursuant to standards set by rules. A
13 proficiency test passed prior to employment may be accepted by
14 the chief judge as proof of proficiency.

15 (Source: P.A. 101-581, eff. 1-1-20.)

16 Section 99. Effective date. This Act takes effect upon
17 becoming law."