

**FOR IMMEDIATE RELEASE**

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**SUPREME COURT AMENDS RULE TO ALLOW POSTING OF  
ANTICIPATED ASSOCIATE JUDGE VACANCIES**

The Illinois Supreme Court has announced an amendment to Supreme Court Rule 39 regarding the appointment of associate judges.

The new amendment, Rule 39 (a)(2), allows the Director of the Administrative Office of the Illinois Courts to approve the posting of a conditional notice of an associate judge vacancy in those limited circumstances when the vacancy has not yet occurred but can be anticipated because of a forthcoming general election for a Circuit Court position.

In instances where a sitting associate judge is running unopposed or where two or more associate judges are the only candidates opposing one another in the general election the Administrative Director may, upon the request of the Chief Judge of the Circuit, approve the posting of a conditional notice of vacancy within 30 days of the date of the general election, the amended rule states.

It requires that the conditional notice of vacancy “clearly advise” potential associate judge candidates that the vacancy is contingent upon certification by the Illinois Board of Elections of the general election results declaring a sitting associate judge the winner. The Administrative Director would not proceed to certify a list of associate judge applicants to the chief judge until after the general election results have been certified.

The amended rule, proposed to the Court by Administrative Director Cynthia Y. Cobbs, is designed so that vacancies caused by an associate judge winning a general election for Circuit judge may be filled in a more timely fashion to lessen the impact of a diminished judicial roster within a circuit.

“The genesis for the amended rule stemmed from awaiting certification of general election results that significantly delayed the process of selecting new associate judges,” said Ms. Cobbs. “To minimize the delay and aid in ensuring adequate judicial resources in the circuits, the Administrative Office proposed an amendment to Rule 39 to allow a Chief Circuit Judge to post a conditional notice of vacancy to be utilized for such presumptive vacancies.

## **MORE**

### **Amended Rule Add One**

“The amended rule allows applications for the anticipated vacancy to be received in the Administrative Office up to 30 days before the general election, but certification of the list of applicants and distribution of ballots to the circuit judges would not proceed until after the general election results have been certified.”

Under Rule 39, associate judges are selected by Circuit judges. Associate judges generally have the same judicial duties as Circuit judges except that they may not sit on criminal cases without specific authorization by the Supreme Court. Their terms run for four years. The terms of elected Circuit judges are for six years.

Of the approximately 950 judges in Illinois, about 395 are associate judges.

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**(FOR MORE INFORMATION, Contact: Joseph Tybor, press secretary to the Illinois  
Supreme Court, 312-793-2323)**