

SUPREME COURT OF ILLINOIS

WEDNESDAY, NOVEMBER 27, 2002

THE FOLLOWING ANNOUNCEMENTS WERE MADE:

ADVISEMENT DOCKET

No. 90151 - In re Detention of Herbert Varner (People State of Illinois, appellee, v. Herbert Varner, appellant).

The Supreme Court of the United States having vacated judgment and having remanded to this Court for further consideration in light of Kansas v. Crane, 534 U.S. 407 (2002);

The mandate which issued to the Appellate Court, Second District (case No. 2-99-0322), on December 13, 2001, is recalled.

The parties are directed to file supplemental briefs, as follows: brief of Herbert Varner due on or before January 2, 2003; brief of the People due on or before February 6, 2003; and reply brief, if any, due on or before February 20, 2003.

Oral argument will be scheduled at a later date.

Order entered by the Court.

MISCELLANEOUS RECORD

M.R. 3033 - In re: Recall of Retired Judge.

With the consent of Retired Circuit Judge Robert E. Cusack of the Circuit Court of Cook County that he be recalled effective January 1, 2003, to hold court in the Circuit Court of Cook County through December 31, 2004;

And the Supreme Court having determined that the public necessity so requires;

It is ordered that the above-named judge is recalled to serve for the period indicated above and that he shall receive compensation for such active service at the rate normally paid Circuit Judges of the State of Illinois, provided that Judge Cusack submits to the Supreme Court by March 31, 2003, a favorable bar association evaluation which he has received within the last two years or which he shall receive by March 31, 2003.

Order entered by the Court.

* * *

With the consent of Retired Associate Judge David A. Erickson of the Circuit Court of Cook County, that he be recalled effective January 1, 2003, to hold court in the Circuit Court of Cook County through December 31, 2004;

And the Supreme Court having determined that the public necessity so requires;

It is ordered that the above-named judge is recalled to serve for the period indicated above and that he shall receive compensation for such active service at the rate normally paid Associate Judges of the State of Illinois, provided that Judge Erickson submits to the Supreme Court by March 31, 2003, a favorable bar association evaluation which he has received within the last two years or which he shall receive by March 31, 2003.

Order entered by the Court.

* * *

With the consent of Retired Circuit Judge Allen A. Freeman of the Circuit Court of Cook County that he be recalled effective January 1, 2003, to hold court in the Circuit Court of Cook County through December 31, 2004;

And the Supreme Court having determined that the public necessity so requires;

It is ordered that the above-named judge is recalled to serve for the period indicated above and that he shall receive compensation for such active service at the rate normally paid Circuit Judges of the State of Illinois, provided that Judge Freeman submits to the Supreme Court by March 31, 2003, a favorable bar association evaluation which he has received within the last two years or which he shall receive by March 31, 2003.

Order entered by the Court.

* * *

With the consent of Retired Circuit Judge Benjamin E. Novoselsky of the Circuit Court of Cook County that he be recalled effective January 1, 2003, to hold court in the Circuit Court of Cook County through December 31, 2004;

And the Supreme Court having determined that the public necessity so requires;

It is ordered that the above-named judge is recalled to serve for the period indicated above and that he shall receive compensation for such active service at the rate normally paid Circuit Judges of the State of Illinois, provided that Judge Novoselsky submits to the Supreme Court by March 31, 2003, a favorable bar association evaluation which he has received within the last two years or which he shall receive by March 31, 2003.

Order entered by the Court.

* * *

With the consent of Retired Circuit Judge James S. Quinlan, Jr. of the Circuit Court of Cook County that he be recalled effective January 1, 2003, to hold court in the Circuit Court of Cook County through December 31, 2004;

And the Supreme Court having determined that the public necessity so requires;

It is ordered that the above-named judge is recalled to serve for the period indicated above and that he shall receive compensation for such active service at the rate normally paid Circuit Judges of the State of Illinois, provided that

Judge Quinlan submits to the Supreme Court by March 31, 2003, a favorable bar association evaluation which he has received within the last two years or which he shall receive by March 31, 2003.

Order entered by the Court.

* * *

With the consent of Circuit Judge Henry A. Budzinski of the Circuit Court of Cook County, who is retiring from judicial service on December 1, 2002, that he be recalled effective December 2, 2002, to hold court in the Circuit Court of Cook County through December 31, 2004;

And the Supreme Court having determined that the public necessity so requires;

It is ordered that the above-named judge is recalled to serve for the period indicated above and that he shall receive compensation for such active service at the rate normally paid Circuit Judges of the State of Illinois, provided that Judge Budzinski submits to the Supreme Court by March 31, 2003, a favorable bar association evaluation which he has received within the last two years or which he shall receive by March 31, 2003.

Order entered by the Court.

* * *

With the consent of Circuit Judge Thomas V. Gainer Jr. of the Circuit Court of Cook County, who is retiring from judicial service on December 1, 2002, that he be recalled effective December 2, 2002, to hold court in the Circuit Court of Cook County through December 31, 2004;

And the Supreme Court having determined that the public necessity so requires;

It is ordered that the above-named judge is recalled to serve for the period indicated above and that he shall receive compensation for such active service at the rate normally paid Circuit Judges of the State of Illinois, provided that Judge Gainer submits to the Supreme Court by March 31, 2003, a favorable bar association evaluation which he has received within the last two years or which he shall receive by March 31, 2003.

Order entered by the Court.

* * *

With the consent of Circuit Judge Allan W. Masters of the Circuit Court of Cook County, who is retiring from judicial service on December 1, 2002, that he be recalled effective December 2, 2002, to hold court in the Circuit Court of Cook County through December 31, 2004;

And the Supreme Court having determined that the public necessity so requires;

It is ordered that the above-named judge is recalled to serve for the period indicated above and that he shall receive compensation for such active service at the rate normally paid Circuit Judges of the State of Illinois, provided that Judge Masters submits to the Supreme Court by March 31, 2003, a favorable bar association evaluation which he has received within the last two years or which he shall receive by March 31, 2003.

Order entered by the Court.

* * *

With the consent of Circuit Judge Darryl B. Simko of the Circuit Court of Cook County, who is retiring from judicial service on December 1, 2002, that he be recalled effective December 2, 2002, to hold court in the Circuit Court of Cook County through December 31, 2004;

And the Supreme Court having determined that the public necessity so requires;

It is ordered that the above-named judge is recalled to serve for the period indicated above and that he shall receive compensation for such active service at the rate normally paid Circuit Judges of the State of Illinois, provided that Judge Simko submits to the Supreme Court by March 31, 2003, a favorable bar association evaluation which he has received within the last two years or which he shall receive by March 31, 2003.

Order entered by the Court.

* * *

With the consent of Circuit Judge Charles R. Winkler of the Circuit Court of Cook County, who is retiring from judicial service on December 1, 2002, that he be recalled effective December 2, 2002, to hold court in the Circuit Court of Cook

County through December 31, 2004;

And the Supreme Court having determined that the public necessity so requires;

It is ordered that the above-named judge is recalled to serve for the period indicated above and that he shall receive compensation for such active service at the rate normally paid Circuit Judges of the State of Illinois, provided that Judge Winkler submits to the Supreme Court by March 31, 2003, a favorable bar association evaluation which he has received within the last two years or which he shall receive by March 31, 2003.

Order entered by the Court.

* * *

With the consent of Circuit Judge Lori M. Wolfson of the Circuit Court of Cook County, who is retiring from judicial service on December 1, 2002, that she be recalled effective December 2, 2002, to hold court in the Circuit Court of Cook County through December 31, 2004;

And the Supreme Court having determined that the public necessity so requires;

It is ordered that the above-named judge is recalled to serve for the period indicated above and that she shall receive compensation for such active service at the rate normally paid Circuit Judges of the State of Illinois, provided that Judge Wolfson submits to the Supreme Court by March 31, 2003, a favorable bar association evaluation which she has received within the last two years or which she shall receive by March 31, 2003.

Order entered by the Court.

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M.R. 3140 - Adoption and Amendment of Supreme Court Rules.

Effective immediately, an administrative order in relation to the supreme court rules on discovery is adopted and Rule 39 is amended, and effective January 1, 2003, Rule 307 is amended.