

**REPORT
OF THE
ILLINOIS JUDICIAL
CONFERENCE
2007**



2007 REPORT

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ROSTER OF JUDICIAL CONFERENCE OF ILLINOIS

The following are members of the Judicial Conference of Illinois during the 2007 Conference year.

SUPREME COURT

Hon. Robert R. Thomas
Chief Justice
Second Judicial District

Hon. Charles E. Freeman
Supreme Court Justice
First Judicial District

Hon. Thomas R. Fitzgerald
Supreme Court Justice
First Judicial District

Hon. Thomas L. Kilbride
Supreme Court Justice
Third Judicial District

Hon. Rita B. Garman
Supreme Court Justice
Fourth Judicial District

Hon. Lloyd A. Karmeier
Supreme Court Justice
Fifth Judicial District

Hon. Anne M. Burke
Supreme Court Justice
First Judicial District

Appellate Court

Hon. Alan J. Greiman
Chairman, Executive Committee
First District Appellate Court

Hon. Robert J. Steigmann
Presiding Judge
Fourth District Appellate Court

Hon. R. Peter Grometer
Presiding Judge
Second District Appellate Court

Hon. Thomas M. Welch
Presiding Judge
Fifth District Appellate Court

Hon. Tom M. Lytton
Presiding Judge
Third District Appellate Court

APPOINTEES

Hon. Adrienne W. Albrecht
Circuit Judge
Twenty-First Judicial Circuit

Hon. Kenneth A. Abraham
Associate Judge
Eighth Judicial Circuit

Hon. Kathleen M. Alling
Associate Judge
Second Judicial Circuit

Hon. Thomas R. Appleton
Appellate Court Judge
Fourth Appellate Court District

Hon. C. Stanley Austin
Associate Judge
Eighteenth Judicial Circuit

Hon. Patricia Banks
Circuit Judge
Circuit Court of Cook County

Hon. Kathy Bradshaw Elliott
Circuit Judge
Twenty-First Judicial Circuit

Hon. Elizabeth M. Budzinski
Associate Judge
Circuit Court of Cook County

Hon. Ann Callis
Chief Judge
Third Judicial Circuit

Hon. Robert L. Carter
Appellate Court Judge
Third Appellate Court District

Hon. Mark H. Clarke
Circuit Judge
First Judicial Circuit

Hon. John P. Coady
Circuit Judge
Fourth Judicial Circuit

Hon. Mary Ellen Coghlan
Circuit Judge
Circuit Court of Cook County

Hon. Claudia Conlon
Circuit Judge
Circuit Court of Cook County

Hon. Joy V. Cunningham
Appellate Court Judge
First Appellate Court District

Hon. Eugene P. Daugherity
Circuit Judge
Thirteenth Judicial Circuit

Hon. James K. Donovan
Appellate Court Judge
Fifth Appellate Court District

Hon. Deborah M. Dooling
Circuit Judge
Circuit Court of Cook County

Hon. Timothy C. Evans
Chief Judge
Circuit Court of Cook County

Hon. Michael J. Gallagher
Appellate Court Judge
First Appellate Court District

Hon. Vincent M. Gaughan
Circuit Judge
Circuit Court of Cook County

Hon. Susan Fox Gillis
Associate Judge
Circuit Court of Cook County

Hon. James R. Glenn
Circuit Judge
Fifth Judicial Circuit

Hon. Robert E. Gordon
Appellate Judge
First Appellate Court District

Hon. John K. Greanias
Circuit Judge
Sixth Judicial Circuit

Hon. Alan J. Greiman
Appellate Court Judge
First Appellate Court District

Hon. John B. Grogan
Associate Judge
Circuit Court of Cook County

Hon. R. Peter Grometer
Appellate Court Judge
Second Appellate Court District

Hon. Daniel P. Guerin
Associate Judge
Eighteenth Judicial Circuit

Hon. Shelvin Louis Marie Hall
Appellate Court Judge
First Appellate Court District

Hon. David E. Haracz
Associate Judge
Circuit Court of Cook County

Hon. Donald C. Hudson
Chief Judge
Sixteenth Judicial Circuit

Hon. Robert K. Kilander
Circuit Judge
Eighteenth Judicial Circuit

Hon. Dorothy Kirie Kinnaird
Circuit Judge
Circuit Court of Cook County

Hon. John C. Knight
Circuit Judge
Third Judicial Circuit

Hon. Michael D. Kramer
Associate Judge
Twenty-First Judicial Circuit

Hon. Diane M. Lagoski
Associate Judge
Eighth Judicial Circuit

Hon. Paul G. Lawrence
Associate Judge
Eleventh Judicial Circuit

Hon. Vincent J. Lopinot
Associate Judge
Twentieth Judicial Circuit

Hon. Tom M. Lytton
Appellate Court Judge
Third Appellate Court District

Hon. Jerelyn D. Maher
Associate Judge
Tenth Judicial Circuit

Hon. Mary Anne Mason
Circuit Judge
Circuit Court of Cook County

Hon. John R. McClean, Jr.
Circuit Judge
Fourteenth Judicial Circuit

Hon. Ralph J. Mendelsohn
Associate Judge
Third Judicial Circuit

Hon. James J. Mesich
Associate Judge
Fourteenth Judicial Circuit

Hon. Michael J. Murphy
Appellate Court Judge
First Appellate Court District

Hon. Steven H. Nardulli
Associate Judge
Seventh Judicial Circuit

Hon. Lewis Nixon
Circuit Judge
Circuit Court of Cook County

Hon. Rita M. Novak
Associate Judge
Circuit Court of Cook County

Hon. Jeffrey W. O'Connor
Chief Judge
Fourteenth Judicial Circuit

Hon. Stephen R. Pacey
Circuit Judge
Eleventh Judicial Circuit

Hon. Stuart E. Palmer
Circuit Judge
Circuit Court of Cook County

Hon. Stephen H. Peters
Circuit Judge
Sixth Judicial Circuit

Hon. Lance R. Peterson
Associate Judge
Thirteenth Judicial Circuit

Hon. M. Carol Pope
Circuit Judge
Eighth Judicial Circuit

Hon. Kenneth L. Popejoy
Circuit Judge
Eighteenth Judicial Circuit

Hon. Dennis J. Porter
Associate Judge
Circuit Court of Cook County

Hon. James L. Rhodes
Circuit Judge
Circuit Court of Cook County

Hon. Teresa K. Righter
Circuit Judge
Fifth Judicial Circuit

Hon. Mary S. Schostok
Circuit Judge
Nineteenth Judicial Circuit

Hon. William G. Schwartz
Circuit Judge
First Judicial Circuit

Hon. Karen G. Shields
Associate Judge
Circuit Court of Cook County

Hon. David W. Slater
Associate Judge
Fourth Judicial Circuit

Hon. Robert B. Spence
Circuit Judge
Sixteenth Judicial Circuit

Hon. Daniel J. Stack
Circuit Judge
Third Judicial Circuit

Hon. John O. Steele
Circuit Judge
Circuit Court of Cook County

Hon. Robert J. Steigmann
Appellate Court Judge
Fourth Appellate Court District

Hon. Jane Louise Stuart
Circuit Judge
Circuit Court of Cook County

Hon. Michael P. Toomin
Circuit Judge
Circuit Court of Cook County

Hon. Joseph J. Urso
Circuit Judge
Circuit Court of Cook County

Hon. Hollis L. Webster
Circuit Judge
Eighteenth Judicial Circuit

Hon. Grant S. Wegner
Circuit Judge
Sixteenth Judicial Circuit

Hon. Thomas M. Welch
Appellate Court Judge
Fifth Appellate Court District

Hon. Walter Williams
Circuit Judge
Circuit Court of Cook County

Hon. Lori M. Wolfson
Associate Judge
Circuit Court of Cook County

MEMBERS OF EXECUTIVE COMMITTEE

Hon. Robert R. Thomas, Chairman
Chief Justice
Second Judicial District

Hon. Adrienne W. Albrecht
Circuit Judge
Twenty-First Judicial Circuit

Hon. John Knight
Circuit Judge
Third Judicial Circuit

Hon. Robert L. Carter
Appellate Court Judge
Third Appellate Court District

Hon. Rita M. Novak
Associate Judge
Circuit Court of Cook County

Hon. James K. Donovan
Appellate Court Judge
Fifth Appellate Court District

Hon. Stephen H. Peters
Circuit Judge
Sixth Judicial Circuit

Hon. Timothy C. Evans
Chief Judge
Circuit Court of Cook County

Hon. M. Carol Pope
Circuit Judge
Eighth Judicial Circuit

Hon. Susan Fox Gillis
Associate Judge
Circuit Court of Cook County

Hon. Robert B. Spence
Circuit Judge
Sixteenth Judicial Circuit

Hon. Shelvin Louise Marie Hall
Appellate Court Judge
First Appellate Court District

Hon. John O. Steele
Circuit Judge
Circuit Court of Cook County

Hon. Robert K. Kilander
Circuit Judge
Eighteenth Judicial Circuit

Hon. Joseph J. Urso
Circuit Judge
Circuit Court of Cook County

OVERVIEW OF THE ILLINOIS JUDICIAL CONFERENCE

The Supreme Court of Illinois created the Illinois Judicial Conference in 1953 in the interest of maintaining a well-informed judiciary, active in improving the administration of justice. The Conference has met annually since 1954 and has the primary responsibility for the creation and supervision of the continuing judicial education efforts in Illinois.

The Judicial Conference was incorporated into the 1964 Supreme Court Judicial Article and is now provided for in Article VI, Section 17, of the 1970 Constitution. Supreme Court Rule 41 implements section 17 by establishing membership in the Conference, creating an Executive Committee to assist the Supreme Court in conducting the Conference, and appointing the Administrative Office as secretary of the Conference.

In 1993, the Supreme Court continued to build upon past improvements in the administration of justice in this state. The Judicial Conference of Illinois was restructured to more fully meet the constitutional mandate that “the Supreme Court shall provide by rule for an annual Judicial Conference to consider the work of the courts and to suggest improvements in the administration of justice and shall report thereon annually in writing to the General Assembly.” The restructuring of the Conference was the culmination of more than two years of study and work. In order to make the Conference more responsive to the mounting needs of the judiciary and the administration of justice (1) the membership of the entire Judicial Conference was totally restructured to better address business of the judiciary; (2) the committee structure of the Judicial Conference was reorganized to expedite and improve the communication of recommendations to the Court; and (3) the staffing functions were overhauled and strengthened to assist in the considerable research work of committees and to improve communications among the Conference committees, the courts, the judges and other components of the judiciary.

The Judicial Conference, which formerly included all judges in the State of Illinois, with the exception of associate judges (approximately 500 judges), was downsized to a total Conference membership of 82. The membership of the reconstituted Conference includes:

Supreme Court Justices	7
Presiding judges of downstate appellate districts and chair of First District Executive Committee	5
Judges appointed from Cook County (including the chief judge and 10 associate judges)	30
Ten judges appointed from each downstate district (including one chief judge and 3 associate judges from each district)	<u>40</u>
Total Conference Membership	82

The first meeting of the reconstituted Conference convened December 2, 1993, in Rosemont, Illinois.

A noteworthy change in the Conference is that it now includes associate judges who comprise more than a quarter of the Conference membership. In addition to having all classifications of judges represented, the new structure continues to provide for diverse geographical representation.

Another important aspect of the newly restructured Conference is that the Chief Justice of the Illinois Supreme Court presides over both the Judicial Conference and the Executive Committee of the Conference, thus providing a strong link between the Judicial Conference and the Supreme Court.

The natural corollary of downsizing the Conference, and refocusing the energies and resources of the Conference on the management aspect of the judiciary, is that judicial education will now take place in a different and more suitable environment, rather than at the annual meeting of the Conference. A comprehensive judicial education plan was instituted in conjunction with the restructuring of the Judicial

Conference. The reconstituted judicial education committee was charged with completing work on the comprehensive education plan, and with presenting the plan for consideration at the first annual meeting of the reconstituted Judicial Conference. By separating the important functions of judicial education from those of the Judicial Conference, more focus has been placed upon the important work of providing the best and most expanded educational opportunities for Illinois judges. These changes have improved immensely the quality of continuing education for Illinois judges.

**ANNUAL MEETING
OF THE ILLINOIS JUDICIAL CONFERENCE**

**Hyatt Regency Hotel
Chicago, Illinois**

AGENDA

Wednesday, October 24, 2007

5:00 - 7:00 p.m. **Early Bird Registration**

Thursday, October 25, 2007

7:30 - 9:00 a.m. **Buffet Breakfast & Registration**

9:00 - 10:30 a.m.

Committee Meetings

- *Alternative Dispute Resolution Coordinating Committee*
- *Automation and Technology Committee*
- *Committee on Criminal Law and Probation Administration*
- *Committee on Discovery Procedures*
- *Committee on Education*
- *Study Committee on Complex Litigation*
- *Study Committee on Juvenile Justice*

10:45 - 11:30 a.m.

Judicial Conference Address

Honorable Robert R. Thomas, Chief Justice, Supreme Court of Illinois

11:30 a.m. - 12:45 p.m.

Luncheon

1:00 - 4:30 p.m.

Plenary Session

- *Call to Order by Honorable Robert R. Thomas, Chief Justice*
- *Presentation of Consent Calendar*
- *Presentation of Committee Reports & Discussion*
Committee on Criminal Law and Probation Administration
Committee on Discovery Procedures
Automation and Technology Committee
Alternative Dispute Resolution Coordinating Committee
Break; Committee Reports & Discussion Resume
Study Committee on Complex Litigation
Study Committee on Juvenile Justice
Committee on Education

(Moderators: Hon. Robert L. Carter; Hon. Robert K. Kilander; Hon. M. Carol Pope)

4:30 p.m.

Adjourn

2007 REPORT

**2007 Annual Illinois Judicial Conference
Thursday, October 25, 2007
9:30 a.m.
Hyatt Regency Hotel
Chicago, Illinois
Honorable Robert R. Thomas, Chief Justice**

Good morning. It is my pleasure to welcome all of you to the 2007 annual meeting of the Illinois Judicial Conference. On behalf of my colleagues on the Illinois Supreme Court, let me begin by thanking all of you for your presence here today, and for all of your hard work during the previous year.

As I said to all of you last year, a judge's day is full enough, preparation for the morning status call, contested motion hearings, trials that last into the evening, pretrial conferences and settlement mediation tucked in between order drafting. The mornings are often early and the evenings are often late. The fact that all of you have chosen to assume additional responsibilities in the form of Judicial Conference committee assignments is a testament to your devotion to the law and to the fair, orderly and efficient administration of justice in this state.

The work of the committee is indispensable to both the maintenance and the progress of the judicial branch, and your commitment to something greater than yourselves is to be commended.

I am pleased today to be joined by several of my colleagues from the Illinois Supreme Court, as well as by some former members of our Court. Let me make some introductions.

--- Former Supreme Court Justice John Nickels of the Second District is here today.

Welcome, Justice Nickels, and thank you for your continued service to Illinois. Members of the current Court are here as well.

--- From the First District, Justices Charles Freeman and Tom Fitzgerald.

--- From the Third District, Justice Tom Kilbride.

--- From the Fourth District, Justice Rita Garman.

--- And from the Fifth District, Justice Lloyd Karmeier.

Welcome to all of you.

And lastly, I would like to recognize Cynthia Cobbs, Director of the AOIC. The Administrative Office is instrumental in coordinating and facilitating the work of our various Conference committees. Today's event would not have been possible without the tireless efforts of Cynthia and her staff. We owe all of them our gratitude and another round of applause.

Now, let's remind ourselves why we are here today. Like the State of the Union Address, the annual Judicial Conference is mandated by the Constitution. Specifically, by Article 6, Section 17, which provides that the Supreme Court shall provide by rule for an annual Judicial Conference to consider the work of the courts and to suggest improvements in the administration of justice.

But the real answer is that we have a duty to be here, and I am confident that conferences such as these would occur even without a Constitutional mandate. The annual Judicial Conference reminds us that the judiciary is indeed a co-equal branch of government, and that as such we are charged not only with deciding individual cases, but also with managing and administering the system in which those decisions are made.

Like it or not, the judiciary is also a bureaucracy, and the purpose of the Conference committees is to insure that the bureaucracy operates as fairly and efficiently as possible so that justice may always be done.

Make no mistake, the work we will do here today is important. But it is only a reflection of the very important work that was done over the last 12 months, and only a hint of the great things that are to come. The next 12 months will indeed bring challenges, and I look forward to working with Director Cobbs and all of the committees to insure that the quality and efficiency of the justice in this state is always improving.

As you recall, last year marked the first time that the Supreme Court assigned particular projects and initiatives to each of the seven Judicial Conference committees. Our goal was to shift the committees' focus from problem identification to problem solving. From identifying the need for a solution to formulating that solution in concrete terms.

This afternoon we will hear detailed reports from each of the seven committees and I'm confident that the results will be impressive. These reports will address a wide range of issues and initiatives, including the development of an evidence-based practice guide for use by the judiciary, the utility of alternative dispute resolution in the criminal context, the use of electronic discovery and telephonic depositions and the administrative and technological changes associated with video arraignment and video deposition. The use of mediation and alternative dispute resolution in the child custody context. The creation of a core curriculum for continuing judicial education. The scope and necessity of confidentiality in juvenile delinquency and neglect cases. The effectiveness of problem-solving courts and the management of criminal prosecutions, most especially in relation to drug cases and juvenile justice. The development and implementation of a minimum continuing judicial education curriculum, and the preparation of six comprehensive judicial bench books in several core areas, including civil law and procedure, criminal law and procedure, traffic law, DUI and domestic violence.

These are not small matters and they will demand an extraordinary amount of study, debate and attention. None of us alone have the answers. But in coming together and sharing our collective wisdom, talent and experience, we hopefully will take a major step forward in identifying what works and what does not.

A perfect example of this paradigm at work is the Supreme Court Special Committee on Child Custody, which was formed in 2002 and charged with formulating methods to expedite the review of child custody cases. Modeled after the Special Supreme Court Committee on Capital Cases, the committee on child custody was comprised of fifteen (15) judges from across the state, all of whom were intimately familiar with, and experienced in child custody matters.

The committee's primary focus was on expediting the time it takes to bring child custody and adoption cases to trial and through appeal. For almost three (3) years the committee met and held public hearings throughout the state. Input was sought not only from lawyers and judges, but also from social workers, child welfare specialists and parents. The net result was a new series of Supreme Court rules adopted last year.

Comprehensive in their application, these rules are designed to expedite cases effecting the custody of a child, to insure the coordination of custody matters filed under different statutory acts, and to focus child custody proceedings on the best interest of the child, all while protecting the rights of other parties to the proceedings.

Crafting these rules was a tremendous undertaking, and I'm grateful to the committee members for their years of hard work and dedication, and their hard work paid off. The new rules represent a major step forward in the handling of child custody cases and the committee's work will help to insure that the children of this state are well served by the court system.

Now, admittedly these new rules will not by themselves eliminate all of the deficiencies that exist in the current system. They are the first step, not the last step. But it is vital that in an area as important to our community's future as this, the care and well being of our children, that each of us works to insure that our portion of the system is working as efficiently and as beneficially as possible.

That was the goal of the Supreme Court Special Committee on Child Custody, it is the goal of the new Supreme Court rules, and I'm certain it is a goal shared by everyone sitting here today.

Indeed, like the special committee on child custody, each of the Judicial Conference committees is responsible for insuring that its piece of the judicial system is operating at maximum efficiency and with a full commitment to serving the cause of justice. If each committee succeeds in its dedicated field, the system as a whole will remain healthy and robust.

Writing in Federalist 82, Hamilton described the state and the federal judiciaries as kindred systems. Yet he also warned that only time can mature and perfect so compound a system, can liquidate the meaning of all the parts, and can adjust them to each other in a harmonious and consistent whole.

In many ways, the same can be said of the state judiciary. We are undoubtedly one court system, but at the same time we are divided into several distinct systems; Circuit Courts, Appellate Districts, the Supreme Court. And as often as we work together, it can sometimes feel like we are working at odds. Trial judges sometimes view reviewing courts as the enemy, or at least as somewhat aloof. And reviewing courts can sometimes forget what it's like to render a hundred decisions a day instead of a hundred decisions a year.

And that's why I'm grateful for gatherings such as these. They help forge a spirit of collegiality, respect and cooperation among the different judges of this state. Or as Hamilton might say, to mature and perfect the system, adjusting them to each other in a harmonious and consistent whole.

Your presence here today speaks to your commitment. In return, I promise that the Court

will make available whatever resources are within its power to provide to insure your work can be performed as thoroughly and as efficiently as possible.

Now, one last thing. I said it last year, and I will say it again this year. In past years the committee chair has put out the word that anyone who asks a question during the plenary session risks a swift and painful death. Last year I invited all of you to leave that mentality behind and to obey one simple directive. Listen critically and ask a lot of questions. And I can honestly say that last year's plenary session was one of the most productive and dynamic that we have had in years. Well, let's do it again.

This Conference should not be an empty exercise in speech making and report giving. It should be a dynamic exchange of ideas and information. Each of us brings to this gathering a valuable perspective shaped by our unique experiences as judges. Even if you do not serve on the committee in question, that does not mean that you have nothing to contribute.

Many of these topics cut across disciplines and will potentially impact every courtroom in Illinois. Each of us owes a duty, both to our colleagues and to the public, to insure that the best possible policy is reached and that every argument is given full and fair consideration.

RESOLUTION

IN MEMORY OF

THE HONORABLE ARLIE O. BOSWELL, JR.

The Honorable Arlie O. Boswell, Jr., former circuit judge for the First Judicial Circuit, passed away February 11, 2007.

Judge Boswell was born February 9, 1924, in Stonefort, Illinois. He received his law degree from DePaul University College of Law in 1949, and was admitted to the bar that same year. Judge Boswell was in private practice from 1949 until 1964. He was the city attorney for Harrisburg, Illinois from 1964 until 1992, when he was appointed an associate judge for the First Judicial Circuit. He became a circuit judge in 1992, and remained in that position until his retirement July 31, 1993.

The Illinois Judicial Conference extends to the family of Judge Boswell its sincere expression of sympathy.

2007 REPORT
RESOLUTION
IN MEMORY OF
THE HONORABLE MARTIN F. BRODKIN

The Honorable Martin F. Brodtkin, former circuit judge for the Circuit Court of Cook County, passed away February 9, 2007.

Judge Brodtkin was born July 4, 1914. He received his law degree from IIT/Chicago-Kent College of Law, and was admitted to the bar in 1939. Judge Brodtkin was in private practice from 1943 through 1969. He was appointed an associate judge, for the Circuit Court of Cook County in 1972, and became a circuit judge in 1982. He retired from that position December 31, 1995.

The Illinois Judicial Conference extends to the family of Judge Brodtkin its sincere expression of sympathy.

RESOLUTION

IN MEMORY OF

THE HONORABLE GEORGE Z. CHRONES

The Honorable George Z. Chrones, former associate judge for the Circuit Court of Cook County, passed away September 18, 2006.

Judge Chrones was born December 28, 1927, in Chicago, Illinois. He received his law degree from DePaul University College of Law in 1953, and was admitted to the bar that same year. Judge Chrones served solely in the public sector for Cook County until being appointed an associate judge in 1983. He remained in that position until his retirement June 30, 1991.

The Illinois Judicial Conference extends to the family of Judge Chrones its sincere expression of sympathy.

**2007 REPORT
RESOLUTION
IN MEMORY OF
THE HONORABLE HENRY L. COWLIN**

The Honorable Henry L. Cowlin, former circuit judge for the Nineteenth Judicial Circuit, passed away January 11, 2007.

Judge Cowlin was born June 15, 1924, in Chicago, Illinois. He received his law degree from Wayne State University Law School in Detroit, Michigan in 1951, and was admitted to the Illinois bar in 1952. Judge Cowlin served in the public and private sectors, including special assistant Attorney General from 1969 to 1978. In 1978, he became a circuit judge for the Nineteenth Judicial Circuit, a position he remained in until his retirement December 1, 1996.

The Illinois Judicial Conference extends to the family of Judge Cowlin its sincere expression of sympathy.

RESOLUTION

IN MEMORY OF

THE HONORABLE GLYNN J. ELLIOTT, JR.

The Honorable Glynn J. Elliott, Jr., former circuit judge for the Circuit Court of Cook County, passed away November 8, 2006.

Judge Elliott was born September 16, 1926, in Evanston, Illinois. He received his law degree from Loyola University Chicago School of Law in 1950, and was admitted to the bar that same year. Judge Elliott was in private practice from 1956 to 1983, when he was appointed a circuit judge at large for the Circuit Court of Cook County. He served as a circuit judge from 1983 until his retirement August 31, 2002.

The Illinois Judicial Conference extends to the family of Judge Elliott its sincere expression of sympathy.

2007 REPORT
RESOLUTION
IN MEMORY OF
THE HONORABLE FRANCIS W. FARIS, JR.

The Honorable Francis W. Faris, Jr., former associate judge for the Eighteenth Judicial Circuit, passed away September 3, 2006.

Judge Faris was born May 2, 1927, in Franklin Park, Illinois. He received his law degree from Southern Methodist University School of Law in Dallas, Texas in 1950, and was admitted to the Illinois bar in 1958. Judge Faris served in both the public and private sectors in Texas and Illinois, from 1952 to 1984. He was appointed an associate judge for the Eighteenth Judicial Circuit in 1985, and retired from that position August 31, 1992.

The Illinois Judicial Conference extends to the family of Judge Faris its sincere expression of sympathy.

RESOLUTION

IN MEMORY OF

THE HONORABLE JOHN M. FLAHERTY

The Honorable John M. Flaherty, former associate judge for the Circuit Court of Cook County, passed away May 21, 2007.

Judge Flaherty was born October 30, 1921, in Chicago, Illinois. He received his law degree from DePaul University College of Law, and was admitted to the bar in 1950. Judge Flaherty was an assistant public defender from 1950 - 1962. He became a Cook County magistrate in 1966, and later an associate judge for the Circuit Court of Cook County. He retired December 31, 1995.

The Illinois Judicial Conference extends to the family of Judge Flaherty its sincere expression of sympathy.

**2007 REPORT
RESOLUTION
IN MEMORY OF
THE HONORABLE ROBERT S. HILL**

The Honorable Robert S. Hill, former circuit judge for the Second Judicial Circuit, passed away June 9, 2006.

Judge Hill was born October 10, 1923. He was with the Attorney General's Office in 1952 and from 1965 to 1968. Judge Hill was a law clerk for Appellate Judge Charles E. Jones from 1971 to 1973, and became a circuit judge for the Second Judicial Circuit in 1976. He retired from that position December 4, 1994.

The Illinois Judicial Conference extends to the family of Judge Hill its sincere expression of sympathy.

RESOLUTION

IN MEMORY OF

THE HONORABLE TERRENCE J. HOPKINS

The Honorable Terrence J. Hopkins, former appellate justice Fifth Judicial District, passed away October 16, 2006.

Justice Hopkins was born March 6, 1948, in Christopher, Illinois. He received his law degree from St. Louis University School of Law in 1974, and was admitted to the bar that same year. Justice Hopkins served as the city attorney for West Frankfort in 1975. From 1976 - 1983, he was the State's Attorney for Franklin County, and was also in private practice. He served as a circuit judge for the Second Judicial Circuit from 1983 - 1994, and as chief judge from 1987 - 1991. He was elected an appellate justice in 1994 for the Fifth District Appellate Court, and remained in that position until his death.

The Illinois Judicial Conference extends to the family of Justice Hopkins its sincere expression of sympathy.

**2007 REPORT
RESOLUTION
IN MEMORY OF
THE HONORABLE CORNELIUS J. HOUTSMA, JR.**

The Honorable Cornelius J. Houtsma, Jr., former associate judge for the Circuit Court of Cook County, passed away March 5, 2007.

Judge Houtsma was born December 20, 1929, in Chicago, Illinois. He received his law degree from Loyola University Chicago School of Law in 1959, and was admitted to the bar that same year. Judge Houtsma served solely in the private sector, until being appointed an associate judge for the Circuit Court of Cook County in 1977. He retired from that position December 2, 1994.

The Illinois Judicial Conference extends to the family of Judge Houtsma its sincere expression of sympathy.

RESOLUTION

IN MEMORY OF

THE HONORABLE JOHN J. KAUFMAN

The Honorable John J. Kaufman, former circuit judge for the Nineteenth Judicial Circuit, passed away October 20, 2006.

Judge Kaufman was born June 10, 1924, in Halethrope, Maryland. He received his law degree from DePaul University College of Law, and was admitted to the bar in 1955. Judge Kaufman served as a magistrate for the Nineteenth Judicial Circuit from 1965 - 1970. He became an associate judge in 1970, and a circuit judge in 1972. He retired from that position December 31, 1981.

The Illinois Judicial Conference extends to the family of Judge Kaufman its sincere expression of sympathy.

2007 REPORT
RESOLUTION
IN MEMORY OF
THE HONORABLE MICHAEL R. KEEHAN

The Honorable Michael R. Keehan, former circuit judge for the Circuit Court of Cook County, passed away December 20, 2006.

Judge Keehan was born September 15, 1944. He received his law degree from The John Marshall Law School in 1981, and was admitted to the bar that same year. Judge Keehan was elected a circuit judge at large for the Circuit Court of Cook County in 1998, and retired from that position February 28, 2006.

The Illinois Judicial Conference extends to the family of Judge Keehan its sincere expression of sympathy.

RESOLUTION

IN MEMORY OF

THE HONORABLE MITCHELL LEIKIN

The Honorable Mitchell Leikin, former associate judge for the Circuit Court of Cook County, passed away July 12, 2007.

Judge Leikin was born July 31, 1921. He received his law degree from DePaul University College of Law, and was admitted to the bar in 1949. Judge Leikin became an associate judge for the Circuit Court of Cook County in 1980, and remained in that position until his retirement December 31, 2000.

The Illinois Judicial Conference extends to the family of Judge Leikin its sincere expression of sympathy.

**2007 REPORT
RESOLUTION
IN MEMORY OF
THE HONORABLE MICHAEL H. LYONS**

The Honorable Michael H. Lyons, former associate judge for the Twelfth Judicial Circuit, passed away June 14, 2007.

Judge Lyons was born August 11, 1916, in Drake, North Dakota. He received his law degree from DePaul University College of Law, and was admitted to the bar in 1940. Judge Lyons became an associate judge for the Twelfth Judicial Circuit in 1975. He retired June 30, 1995.

The Illinois Judicial Conference extends to the family of Judge Lyons its sincere expression of sympathy.

RESOLUTION

IN MEMORY OF

THE HONORABLE PAUL A. O'MALLEY

The Honorable Paul A. O'Malley, former circuit judge for the Circuit Court of Cook County, passed away September 16, 2006.

Judge O'Malley was born May 28, 1927, in Chicago, Illinois. He received his law degree from DePaul University College of Law, and was admitted to the bar in 1955. Judge O'Malley was a U.S. Attorney from 1956 - 1960, assistant State's Attorney for Cook County from 1960 - 1965, and was appointed a magistrate in 1965. In 1971, he was appointed an associate judge and became a circuit judge in 1977. He retired from that position July 31, 1987.

The Illinois Judicial Conference extends to the family of Judge O'Malley its sincere expression of sympathy.

2007 REPORT
RESOLUTION
IN MEMORY OF
THE HONORABLE JACK T. PARISH

The Honorable Jack T. Parish, former associate judge for the Eighteenth Judicial Circuit, passed away December 27, 2006.

Judge Parish was born May 22, 1915, in Chicago, Illinois. He was a non-lawyer who served as Constable from 1944 - 1957, and Justice of the Peace, Addison Township from 1951 - 1965. He became a magistrate for the Eighteenth Judicial Circuit in 1965, and an associate judge in 1971. Judge Parish retired June 30, 1975.

The Illinois Judicial Conference extends to the family of Judge Parish its sincere expression of sympathy.

RESOLUTION

IN MEMORY OF

THE HONORABLE ROBERT R. RETKE

The Honorable Robert R. Retke, former associate judge for the Circuit Court of Cook County, passed away May 25, 2007.

Judge Retke was born June 4, 1941, in Alliance, Nebraska. He received his law degree from the University of Chicago Law School, and was admitted to the bar in 1971. From 1967 through 1971 Judge Retke served as an appellate law clerk for the Hon. James Bryant, the Hon. Francis S. Lorenz, and the Hon. Arthur J. Murphy. He was appointed an associate judge for the Circuit Court of Cook County in 1985, and retired from that position July 4, 2000.

The Illinois Judicial Conference extends to the family of Judge Retke its sincere expression of sympathy.

**2007 REPORT
RESOLUTION
IN MEMORY OF
THE HONORABLE GERALD T. ROHRER**

The Honorable Gerald T. Rohrer, former associate judge for the Circuit Court of Cook County, passed away April 6, 2007.

Judge Rohrer was born June 11, 1940, in Evanston, Illinois. He received his law degree from Loyola University Chicago School of Law in 1966, and was admitted to the bar that same year. Judge Rohrer was an assistant State's Attorney for the Circuit Court of Cook County from 1967 - 1969, was with the Attorney General's Office from 1969 - 1978, and served as Alderman for Park Ridge from 1979 - 1981. He was appointed an associate judge in 1981, and retired from that position December 31, 2001.

The Illinois Judicial Conference extends to the family of Judge Rohrer its sincere expression of sympathy.

RESOLUTION

IN MEMORY OF

THE HONORABLE JOHN W. RUSSELL

The Honorable John W. Russell, former chief judge for the Seventh Judicial Circuit, passed away December 3, 2006.

Judge Russell was born December 7, 1920, in Carlinville, Illinois. He received his law degree from Northwestern University School of Law in 1950, and was admitted to the bar that same year. During his career, Judge Russell served as attorney for the Illinois State Police, the Carlinville Park District, the City of Carlinville, the Carlinville School Board and assistant State's Attorney for Macoupin County. He was appointed a circuit judge for the Seventh Judicial Circuit in 1977, elected to that position in 1978, and selected chief judge in 1986. He remained in that position until his retirement December 2, 1990.

The Illinois Judicial Conference extends to the family of Judge Russell its sincere expression of sympathy.

**2007 REPORT
RESOLUTION
IN MEMORY OF
THE HONORABLE NORMAN SANDS**

The Honorable Norman Sands, former associate judge for the Circuit Court of Cook County, passed away March 27, 2007.

Judge Sands was born August 13, 1929, in Newark, New Jersey. He received his law degree from the University of Michigan Law School in 1957, and was admitted to the bar that same year. Judge Sands was appointed an associate judge for the Circuit Court of Cook County in 1983, and retired from that position December 28, 1995.

The Illinois Judicial Conference extends to the family of Judge Sands its sincere expression of sympathy.

RESOLUTION

IN MEMORY OF

THE HONORABLE ROBERT W. SCHWARTZ

The Honorable Robert W. Schwartz, former associate judge for the First Judicial Circuit, passed away June 2, 2007.

Judge Schwartz was born October 25, 1915. He served as Magistrate for the First Judicial Circuit, before becoming an associate judge in 1971. Judge Schwartz retired April 30, 1982.

The Illinois Judicial Conference extends to the family of Judge Schwartz its sincere expression of sympathy.

**2007 REPORT
RESOLUTION
IN MEMORY OF
THE HONORABLE MICHAEL F. SHEEHAN, JR.**

The Honorable Michael F. Sheehan, Jr., former associate judge for the Circuit Court of Cook County, passed away November 18, 2006.

Judge Sheehan was born January 3, 1934, in Chicago, Illinois. He received his law degree from DePaul University College of Law in 1962, and was admitted to the bar that same year. Judge Sheehan was appointed an associate judge for the Circuit Court of Cook County in 1988, and retired from that position December 10, 2001.

The Illinois Judicial Conference extends to the family of Judge Sheehan its sincere expression of sympathy.

RESOLUTION

IN MEMORY OF

THE HONORABLE SEYMOUR F. SIMON

The Honorable Seymour F. Simon, former Illinois Supreme Court Justice, passed away September 28, 2006.

Justice Simon was born August 10, 1915, in Chicago, Illinois. He received his law degree from Northwestern University School of Law in 1938, and was admitted to the bar that same year. During his illustrious career, Justice Simon served solely in the public sector as Alderman for the 40th Ward Chicago, Special Attorney for the U. S. Department of Justice, and a member of the Cook County Board of Commissioners. He was elected an appellate judge for the First Judicial District in 1975, and elected to the Supreme Court in 1980. Justice Simon resigned February 15, 1988, to work in private practice.

The Illinois Judicial Conference extends to the family of Justice Simon its sincere expression of sympathy.

2007 REPORT
RESOLUTION
IN MEMORY OF
THE HONORABLE ROLLAND F. TIPSWORD

The Honorable Rolland F. Tipsword, former circuit judge for the Fourth Judicial Circuit, passed away April 5, 2007.

Judge Tipsword was born August 19, 1925, in Monticello, Illinois. He received his law degree from Northwestern University School of Law in 1951, and was admitted to the bar that same year. Judge Tipsword was State's Attorney for Christian County from 1960 - 1966. He served in the House of Representatives for Districts 50 and 51 in the 75th through 80th Illinois General Assemblies. He was appointed a circuit judge for the Fourth Judicial Circuit in 1983, and retired from that position November 30, 1993.

The Illinois Judicial Conference extends to the family of Judge Tipsword its sincere expression of sympathy.

RESOLUTION

IN MEMORY OF

THE HONORABLE HOWARD S. WHITE

The Honorable Howard S. White, former circuit judge for the Eighth Judicial Circuit, passed away March 10, 2007.

Judge White was born December 10, 1915, in Forest City, Illinois. He received his law degree from the University of Illinois College of Law in 1940, and was admitted to the bar that same year. Judge White was an assistant Attorney General for Macon County until being appointed a circuit judge for the Eighth Judicial Circuit in 1980. He remained in that position until his retirement November 30, 1986.

The Illinois Judicial Conference extends to the family of Judge White its sincere expression of sympathy.

**2007 REPORT
RESOLUTION
IN MEMORY OF
THE HONORABLE CHARLES M. WILSON**

The Honorable Charles M. Wilson, former circuit judge for the Tenth Judicial Circuit, passed away April 24, 2007.

Judge Wilson was born June 16, 1916, in Centralia, Illinois. He received his law degree from the University of Illinois College of Law in 1940, and was admitted to the bar that same year. Judge Wilson was appointed an associate judge for the Tenth Judicial Circuit in 1964, became a circuit judge in 1972, and retired from that position December 2, 1984.

The Illinois Judicial Conference extends to the family of Judge Wilson its sincere expression of sympathy.

RESOLUTION

IN MEMORY OF

THE HONORABLE GERALD T. WINIECKI

The Honorable Gerald T. Winiecki, former associate judge for the Circuit Court of Cook County, passed away October 25, 2006.

Judge Winiecki was born October 25, 1940, in Chicago, Illinois. He received his law degree from DePaul University College of Law in 1971, and was admitted to the bar that same year. Judge Winiecki was in private practice from 1971 - 1973, with the Cook County Public Defender's Office from 1973 - 1975, was a trial attorney and appellate attorney from 1976 - 1981, and served as Alderman for Berwyn, Illinois from 1977 - 1980. He was appointed an associate judge for the Circuit Court of Cook County in 1983, and remained in that position until his death, October 25, 2006.

The Illinois Judicial Conference extends to the family of Judge Winiecki its sincere expression of sympathy.

2007 REPORT
RESOLUTION
IN MEMORY OF
THE HONORABLE ALFRED E. WOODWARD

The Honorable Alfred E. Woodward, former appellate court justice for the Second Judicial District, passed away February 20, 2007.

Justice Woodward was born December 15, 1913, in Sandwich, Illinois. He received his law degree from Northwestern University School of Law in 1939, and was admitted to the bar that same year. Justice Woodward was elected a circuit judge for the Eighteenth Judicial Circuit in 1970. He became chief judge in 1974, and was assigned to the Second District Appellate Court in 1977. He retired from the court December 28, 1980, and returned to private practice. In 1986, he was recalled to the appellate court and remained there until December 4, 1994.

The Illinois Judicial Conference extends to the family of Justice Woodward its sincere expression of sympathy.

RECOGNITION OF RETIRED JUDGES

AULT, J. Peter was born November 14, 1946, in Saginaw, Michigan. He received his law degree from Valparaiso University School of Law, and was admitted to the Illinois Bar in 1972. Judge Ault served solely in the private sector until becoming an associate judge for the Tenth Judicial Circuit in 1987. He was elected a circuit judge in 2000, and was presiding judge for Tazewell County until his retirement December 3, 2006.

BLANC, Erik I. was born October 16, 1947, in Peoria, Illinois. He received his law degree from the University of Illinois College of Law, and was admitted to the bar in 1975. Judge Blanc served solely in the public sector as an assistant Attorney General from 1975 to 1976, and with the Tazewell County State's Attorney's Office from 1976 until 1995, when he became an associate judge for the Tenth Judicial Circuit. He remained in that position until his retirement December 1, 2006.

BULKELEY, Harry C. was born September 1, 1949, in Galesburg, Illinois. He received his law degree from IIT/Chicago-Kent College of Law in 1974, and was admitted to the bar that same year. Judge Bulkeley served solely in the private sector from 1974 to 1982, with an emphasis on commercial litigation and appeals. He became an associate judge for the Ninth Judicial Circuit in 1982, and a circuit judge in 1994. He remained in that position until his retirement December 3, 2006.

BUSH, Bernetta D. was born July 12, 1946, in Chicago, Illinois. She received her law degree from DePaul University College of Law in 1977, and was admitted to the bar that same year. Judge Bush served solely in the public sector until 1992, when she was elected a circuit judge for the Circuit Court of Cook County. She remained in that position until her retirement July 6, 2007.

CLUTTS, Rodney A. was born September 17, 1948, in Anna, Illinois. He received his law degree from Loyola University Chicago School of Law, and was admitted to the bar in 1973. Judge Clutts served solely in the private sector until becoming an associate judge in 1989 for the First Judicial Circuit. He retired July 31, 2007.

CORRELL, David M. was born March 23, 1946, in Robinson, Illinois. He received his law degree from Indiana University School of Law in 1974, and was admitted to the Illinois Bar that same year. Judge Correll served solely in the private sector until becoming a circuit judge for the Second Judicial Circuit in 1986. He remained in that position until his retirement December 3, 2006.

DEVLIN, Donald M. was born January 4, 1946, in Monmouth, Illinois. He received his law degree from the University of Missouri School of Law, and was admitted to the Illinois Bar in 1974. Judge Devlin was an assistant State's Attorney for Cook County from 1974 to 1992, and associate general counsel for Loyola University of Chicago from 1992 to 1996. He was elected a circuit judge for the Circuit Court of Cook County in 1996, and remained in that position until his retirement August 31, 2006.

DISKO, Barbara J. was born October 7, 1947, in Chicago, Illinois. She received her law degree from IIT/Chicago-Kent College of Law in 1973, and was admitted to the bar that same year. Judge Disko was an assistant State's Attorney from 1973 to 1981, and was in private practice until 1983, when she was appointed an associate judge for the Circuit Court of Cook County. She became a circuit judge in 1988, and remained in that position until her retirement December 3, 2006.

DONNERSBERGER, David R. was born November 3, 1938. He received his law degree from DePaul University College of Law in 1972, and was admitted to the bar that same year. Judge Donnersberger has taught in public high schools, and was an assistant professor at Chicago City College. He has practiced law in both the public and private sectors before being appointed an associate judge for the Circuit Court of Cook County in 1989. He became a circuit judge in 1996, and remained in that position until his retirement December 31, 2006.

DOYLE, James T. was born May 28, 1950, in Melrose Park, Illinois. He received his law degree from The John Marshall Law School in 1976, and was admitted to the bar that same year. Judge Doyle is a former police officer. He has worked with the Kane County Public Defender's office and also the Kane County State's Attorney's Office. Immediately prior to becoming an associate judge for the Sixteenth Judicial Circuit in 1989, he was in private practice. He became a circuit judge in 1992, and remained in that position until his retirement August 2, 2006.

DOZIER, Ronald C. was born October 20, 1946, in Mill Shoals, Illinois. He received his law degree from the University of Illinois College of Law in 1973, and was admitted to the bar that same year. Judge Dozier was an assistant State's Attorney in McLean County from 1973 to 1976, and McLean County State's Attorney from 1976 to 1987. He became an associate judge in the Eleventh Judicial Circuit in 1988, and a circuit judge in 1991. He remained in that position until his retirement October 31, 2006.

ERICKSON, David A. was born January 20, 1950, in Chicago, Illinois. He received his law degree from The John Marshall Law School in 1976, and was admitted to the bar that same year. Judge Erickson began his legal career as an assistant Cook County State's Attorney. In 1983 he went into private practice, but returned to the State's Attorney's Office in 1985. He was appointed an associate judge for the Circuit Court of Cook County in

1988. He resigned in 1996, and was recalled in 2001. In 2005, he was sworn in as a Justice of the Illinois Appellate Court in the First Appellate District. He remained in that position until his retirement August 2, 2006.

FIGUEROA, Raymond A. was born July 10, 1947, in Puerto Rico. He received his law degree from DePaul University College of Law, and was admitted to the Illinois Bar in 1979. From 1987 to 1991, he was an Alderman and Committeeman for the 31st Ward. Immediately prior to becoming a circuit judge in 1994, the Circuit Court of Cook County, he was in private practice. Judge Figueroa retired December 3, 2006.

FRITZ, Michael J. was born February 12, 1950, in Milwaukee, Wisconsin. He received his law degree from The John Marshall Law School in 1976, and was admitted to the Illinois Bar in 1983. Judge Fritz practiced in Wisconsin until 1983, when he became an assistant State's Attorney in Lake County. He became an associate judge for the Nineteenth Judicial Circuit in 1986, and remained in that position until his retirement January 5, 2007.

GRUBB, Gerald F. was born September 9, 1947, in Belvidere, Illinois. He received his law degree from The John Marshall Law School in 1975, and was admitted to the bar that same year. Judge Grubb served as assistant State's Attorney and State's Attorney for Boone County. In 1987, he joined the Seventeenth Judicial Circuit as an associate judge. He became a circuit judge in 1996, and also served as chief judge for the Seventeenth Judicial Circuit. He retired July 31, 2007.

HAASE, Herman S. was born March 22, 1942, in Chicago, Illinois. He received his law degree from Northwestern University School of Law, and was admitted to the bar in 1970. Judge Haase was an assistant State's Attorney in Will County for four years before entering into private practice in 1974. In 1977, he was appointed to the Twelfth Judicial Circuit as an associate judge, and became a circuit judge in 1978. From 1988 to 1991, he served as chief judge of the Twelfth Judicial Circuit. Judge Haase also served as an appellate justice for the Third Appellate District. He retired from the bench August 31, 2006.

HARRISON, Miriam E. was born September 6, 1941, in Peoria, Illinois. She received her law degree from DePaul University College of Law in 1977, and was admitted to the bar that same year. Judge Harrison clerked for Illinois Supreme Court Justice Daniel Ward from 1977 to 1979. She served solely in the private sector until being appointed an associate judge for the Circuit Court of Cook County in 1985. She became a circuit judge January 15, 2006, a position she remained in until her retirement December 3, 2006.

HARTMAN, Charles R. was born March 27, 1945, in Green Bay, Wisconsin. He received his law degree from DePaul University College of Law in 1970, and was admitted to the bar that same year. Judge Hartman was an assistant State's Attorney for Cook County from 1971 to 1980, and State's Attorney for Stephenson County from 1980 to 1992. In 1992, he was elected a circuit judge for the Fifteenth Judicial Circuit, and retained that position until his retirement November 30, 2006.

HEALY, Michael T. was born October 17, 1946, in Chicago, Illinois. He received his law degree from DePaul University College of Law in 1972, and was admitted to the bar that same year. Judge Healy served in both the public and private sectors prior to being appointed a circuit judge for the Circuit Court of Cook County in 1999. Judge Healy retired July 6, 2007.

HEISER, Larry W. was born February 22, 1945, in Champaign, Illinois. He received his law degree from the University of Illinois College of Law, and was admitted to the bar in 1971. Judge Heiser served solely in the private sector until joining the Ninth Judicial Circuit as an associate judge in 1987. He became a circuit judge in 2006, and remained in that position until his retirement December 31, 2006.

HENSHAW, Michael J. was born November 21, 1944, in Harrisburg, Illinois. He received his law degree from IIT/Chicago-Kent College of Law in 1971, and was admitted to the bar that same year. Judge Henshaw was State's Attorney for Saline County from 1972 to 1976. Immediately prior to becoming a circuit judge in 1978, he was in private practice. Judge Henshaw has also served as chief judge of the First Judicial Circuit. He retired from the bench November 30, 2006.

HOUSEHOLTER, J. Gregory was born July 8, 1945, in Oakland, California. He received his law degree from Valparaiso University School of Law in 1973, and was admitted to the Illinois Bar that same year. Judge Householter has been an assistant Public Defender in Kankakee County, special assistant Attorney General in the workers' compensation division, and has also served in the private sector. In 1992, he joined the Twenty-First Judicial Circuit as an associate judge, and became a circuit judge in 1996. He remained in that position until his retirement September 30, 2006.

JANURA Jr., Arthur L. was born June 22, 1949, in Oak Park, Illinois. He received his law degree from DePaul University College of Law in 1975, and was admitted to the bar that same year. Judge Janura has served in both the public and private sectors before being appointed an associate judge for the Circuit Court of Cook County in 1984. He became a circuit judge in 2003, and remained in that position until his retirement December 27, 2006.

KAPALA, Frederick J. was born September 5, 1950, in Rockford, Illinois. He received his law degree from the University of Illinois College of Law in 1976, and was admitted to the bar that same year. Judge Kapala served in both the public and private sectors before becoming an associate judge for the Seventeenth Judicial Circuit in 1982. He became a circuit judge in 1994, and in 2001 he was selected by the Illinois Supreme Court to fill a vacancy in the Second District Appellate Court. He remained in that position until his retirement May 9, 2007.

KOVAL, Joseph P. was born March 16, 1929, in Mt. Olive, Illinois. He received his law degree from the University of Illinois College of Law, and was admitted to the bar in 1955. Judge Koval served in both the public and private sectors before being appointed a circuit judge for the Seventh Judicial Circuit in 1976. He served as chief judge from 1990 to 1992. Judge Koval retired from the bench December 3, 2006.

KOWALSKI, Robert J. was born June 11, 1947, in Evanston, Illinois. He received his law degree from IIT/Chicago-Kent College of Law in 1973, and was admitted to the bar that same year. Judge Kowalski was an assistant State's Attorney for Cook County from 1974 to 1980, and in private practice from 1980 to 1988. In 1988, he was appointed an associate judge for the Circuit Court of Cook County, and elected a circuit judge in 1994. He remained in that position until his retirement December 31, 2006.

KUHAR, Ludwig J. was born August 11, 1942, in Joliet, Illinois. He received his law degree from the University of Illinois College of Law, and was admitted to the bar in 1966. Judge Kuhar is a former Will County State's Attorney, and immediately prior to becoming a judge he served in the private sector. In 1987 he joined the Twelfth Judicial Circuit as an associate judge, and remained in that position until his retirement January 16, 2007.

LINCOLN, Frank W. was born November 17, 1938, in Tuscola, Illinois. He received his law degree from the University of Illinois College of Law in 1964, and was admitted to the bar that same year. Judge Lincoln served in both the public and private sectors before becoming a circuit judge for the Sixth Judicial Circuit in 1984. He remained in that position until his retirement December 3, 2006.

LOWERY, Donald W. was born March 31, 1947. He received his law degree from Southern Illinois University School of Law in 1976, and was admitted to the bar that same year. Immediately prior to becoming a circuit judge for the First Judicial Circuit in 1986, he was the Massac County State's Attorney. He remained in that position until his retirement August 31, 2006.

MADSON, A. Scott was born April 26, 1943. He received his law degree from the University of Illinois College of Law, and was admitted to the bar in 1968. Immediately prior to becoming a judge, he was an assistant State's Attorney in Bureau County. He was appointed an associate judge for the Thirteenth Judicial Circuit in 1997. He remained in that position until his retirement June 30, 2007.

MALLOTT, Lewis E. was born February 17, 1945, in St. Louis, Missouri. He received his law degree from St. Louis University School of Law, and was admitted to the Illinois Bar in 1973. Immediately prior to becoming a judge, he was an assistant State's Attorney in Madison County. He joined the Third Judicial Circuit as an associate judge in 1993. He remained in that position until his retirement June 30, 2007.

MANNION, John J. was born November 24, 1936, in Chicago, Illinois. He received his law degree from IIT/Chicago-Kent College of Law in 1974, and was admitted to the bar that same year. Judge Mannion was a former homicide detective, and from 1974 to 1984 was an assistant State's Attorney for Cook County. In 1984, he was appointed an associate judge for the Circuit Court of Cook County, a position he remained in until his retirement September 30, 2006.

McMENAMIN, William G. was born December 5, 1946, in Chicago, Illinois. He received his law degree from the University of Illinois College of Law, and was admitted to the bar in 1972. Judge McMenamin served solely in the private sector prior to joining the Twelfth Judicial Circuit in 1991, as an associate judge. He was appointed a circuit judge in 2006, and remained in that position until his retirement July 3, 2007.

McNAMARA, Paddy H. was born February 6, 1943, in Pasadena, California. She received her law degree from DePaul University College of Law in 1973, and was admitted to the bar that same year. Judge McNamara served in both the public and private sectors before becoming a circuit judge for the Circuit Court of Cook County in 1986. She retired from the bench December 13, 2006.

MITCHELL-DAVIS, Judy I. was born March 28, 1940, in Chicago, Illinois. She received her law degree from DePaul University College of Law, and was admitted to the bar in 1978. Judge Mitchell-Davis was an assistant State's Attorney for Cook County as well as an appellate attorney for the Cook County Public Defender's Office. She was elected a circuit judge for the Circuit Court of Cook County in 1990, and retained that position until her retirement July 2, 2007.

MORE Jr., Angus S. was born June 26, 1939. He became an associate judge for the Seventeenth Judicial Circuit January 11, 1995, and remained in that position until his retirement September 30, 2006.

MOY, Kenneth was born March 24, 1933. He became a circuit judge for the Eighteenth Judicial Circuit in 1996. Judge Moy remained in that position until his retirement May 25, 2007.

MURPHY II, James V. was born January 24, 1945, in Evanston, Illinois. He received his law degree from DePaul University College of Law in 1974, and was admitted to the bar that same year. Judge Murphy served in both the public and private sectors before being appointed an associate judge for the Circuit Court of Cook County in 1985. In 2006, he was appointed a circuit judge, a position he remained in until his retirement December 3, 2006.

NASH, Steven M. was born February 29, 1952, in Rockford, Illinois. He received his law degree from the University of Illinois College of Law, and was admitted to the bar in 1980. Immediately prior to becoming a judge he was an assistant State's Attorney in Winnebago County. He joined the Seventeenth Judicial Circuit as an associate judge in 1990. Judge Nash retired June 30, 2007.

PAYNE, John E. was born December 4, 1948, in Amboy, Illinois. He received his law degree from Northwestern University School of Law in 1974, and was admitted to the bar that same year. Judge Payne served mainly in the private sector, except from 1976 to 1980, when he worked as Lee County State's Attorney. In 1985, he joined the Fifteenth Judicial Circuit as an associate judge. He became a circuit judge in 2004, where he remained until his retirement July 2, 2007.

REYNA, Ralph was born July 6, 1943, in Chicago, Illinois. He received his law degree from Northwestern University School of Law, and was admitted to the bar in 1975. Judge Reyna served in both the public and private sectors before being appointed an associate judge for the Circuit Court of Cook County in 1984. He was appointed a circuit judge in 1994, a position he remained in until his retirement December 29, 2006.

RHINE, Wayne D. was born December 28, 1941, in Chicago, Illinois. He received his law degree from DePaul University College of Law in 1965, and was admitted to the bar that same year. Judge Rhine has served as village prosecutor for the Village of Calumet Park, special attorney for the Department of Insurance and the State Board of Elections and has been in private practice. At one time, he served as a legal advisor to the television program "The People's Court" when it was being filmed in Chicago. He was appointed an associate judge for the Circuit Court of Cook County in 1983. He was appointed a circuit judge in 2006, and remained in that position until his retirement December 3, 2006.

SEYMOUR, Steven P. was born June 27, 1946, in Chicago, Illinois. He received his law degree from the University of Illinois College of Law in 1972, and was admitted to the bar that same year. Judge Seymour served in both the public and private sectors until joining

the bench as a circuit judge in the Fourth Judicial Circuit in 1989. He remained in that position until his retirement December 3, 2006.

SHULTZ, Lon W. was born May 21, 1950. He received his law degree from The John Marshall Law School in 1976, and was admitted to the bar that same year. Judge Shultz was an assistant State's Attorney for Cook County before being elected a circuit judge in 1994 for the Circuit Court of Cook County. He retired July 3, 2007.

SLATER, Kent was born November 25, 1945, in Hampton, Iowa. He received his law degree from The John Marshall Law School in 1975, and was admitted to the bar that same year. Judge Slater served in the private sector and as a State Representative in the Illinois General Assembly from 1985, until becoming a circuit judge in 1988, for the Ninth Judicial Circuit. He became a justice in the Third Appellate District in 1990, and remained in that position until his retirement December 3, 2006.

SLAVIN, Timothy J. was born April 18, 1951, in Morrison, Illinois. He received his law degree from Boston College of Law in 1976, and was admitted to the Illinois Bar that same year. Judge Slavin served as an assistant State's Attorney and as State's Attorney for Whiteside County during his career. From 1981 to 1992, he served as an associate judge for the Fourteenth Judicial Circuit. In 1992, he became a circuit judge, and remained in that position until his retirement November 12, 2006.

SMITH, Edward D. was born December 17, 1943. He received his law degree from The John Marshall Law School, and was admitted to the bar in 1974. Judge Smith became an associate judge for the Twelfth Judicial Circuit in 1981. He retired September 30, 2006.

SNOW, Susan was born January 20, 1947. She received her law degree from IIT/Chicago-Kent College of Law, and was admitted to the bar in 1973. Judge Snow became an associate judge for the Circuit Court of Cook County in 1981. Judge Snow retired January 20, 2007.

STEPHENS, Eddie A. was born September 14, 1946, in Vaiden, Mississippi. He received his law degree from DePaul University College of Law in 1982, and was admitted to the bar that same year. Judge Stephens was an assistant State's Attorney for Cook County from 1983 to 1991. From 1991 to 1997, he was an assistant U. S. Attorney. He was also responsible for designing, supervising and implementing the Narcotics Nuisance Abatement Unit of the Cook County State's Attorney's office. In 1997, he was appointed an associate judge for the Circuit Court of Cook County. He remained in that position until his retirement December 29, 2006.

TAYLOR, Chellis E. was born July 16, 1931, in Canton, Illinois. He received his law degree from the University of Illinois College of Law in 1958, and was admitted to the bar that same year. Judge Taylor served primarily in the private sector until 1999, when he was appointed a circuit judge for the Ninth Judicial Circuit. He remained in that position until his retirement December 3, 2006.

TENOLD, Ronald C. was born March 12, 1946, in Mason City, Iowa. He received his law degree from the University of Iowa College of Law, and was admitted to the Illinois Bar in 1971. Judge Tenold served solely in the private sector until joining the bench in 1987 as an associate judge for the Ninth Judicial Circuit. He became a circuit judge in 1996, and served as chief judge of the Ninth Judicial Circuit from 2003 until October 26, 2006. Judge Tenold retired November 30, 2006.

TEROS, James T. was born February 18, 1945. He received his law degree from Valparaiso University School of Law, and was admitted to the Illinois Bar in 1973. Immediately prior to becoming a judge, he was State's Attorney for Rock Island County. He became a circuit judge for the Fourteenth Judicial Circuit in 1988, and remained in the position until his retirement December 4, 2006.

TIMBERLAKE, George W. was born November 17, 1948, in Mt. Carmel, Illinois. He received his law degree from the University of Illinois College of Law in 1977, and was admitted to the bar that same year. Judge Timberlake served mainly in the private sector until becoming an associate judge for the Second Judicial Circuit in 1985. He was elected a circuit judge in 2000. At the time of his retirement, December 3, 2006, Judge Timberlake was the Chief Judge of the Second Judicial Circuit.

TONIGAN III, Henry C. was born February 21, 1950, in Monmouth, Illinois. He received his law degree from Southern Methodist University School of Law in Dallas, Texas in 1975, and was admitted to the Illinois Bar in 1976. Judge Tonigan served solely in the private sector until becoming an associate judge for the Nineteenth Judicial Circuit in 1983. He became a circuit judge in 1991, and from 1998 to 2000, served as chief judge of the Nineteenth Judicial Circuit. Judge Tonigan retired January 30, 2007.

TURKINGTON, Edna was born September 12, 1944. She received her law degree from DePaul University College of Law, and was admitted to the bar in 1974. Judge Turkington has worked for the Cook County Legal Assistance Foundation, has been a legislative liaison, and an administrative assistant for the mayor of Chicago. She was an assistant State's Attorney for Cook County prior to becoming a circuit judge for the Circuit Court of Cook County in 1992. Judge Turkington remained in that position until her retirement December 31, 2006.

VIDAL, Richard W. was born February 10, 1948, in Oak Park, Illinois. He received his law degree from Washington University School of Law in 1973, and was admitted to the bar that same year. Judge Vidal served solely in the private sector until 1981, when he was appointed an associate judge for the Seventeenth Judicial Circuit. He became a circuit judge in 1998, and remained in that position until his retirement December 3, 2006.

WALTER, Stephen E. was born October 14, 1947, in Evergreen Park, Illinois. He received his law degree from Northwestern University School of Law in 1973, and was admitted to the bar that same year. Judge Walter served in both the public and private sectors until being appointed an associate judge for the Nineteenth Judicial Circuit in 1985. He became a circuit judge in 1989, and served as chief judge of the Nineteenth Judicial Circuit from 1995 to 1996. Judge Walter retired October 31, 2006.

WILSON, James M. was born November 13, 1945, in Carmel, California. He received his law degree from The John Marshall Law School, and was admitted to the bar in 1977. Judge Wilson served solely in the private sector until 1983, when he was appointed an associate judge for the Sixteenth Judicial Circuit. He became a circuit judge in 1988, and remained in that position until his retirement December 3, 2006.

NEW JUDGES

Albrecht, Adrienne W. — Circuit Judge, Twenty-First Judicial Circuit
Archambeault, Dinah J. — Associate Judge, Twelfth Judicial Circuit
Bailey, Duane L. — Associate Judge, Third Judicial Circuit
Baird, Callie L. — Associate Judge, Circuit Court of Cook County
Baurle, Linda Abrahamson — Associate Judge, Sixteenth Judicial Circuit
Baderstadt, Robert — Associate Judge, Twenty-Second Judicial Circuit
Bertucci Smith, Laura — Circuit Judge, Circuit Court of Cook County
Brennan, Daniel P. — Circuit Judge, Circuit Court of Cook County
Bourgeois, Yolande M. — Associate Judge, Circuit Court of Cook County
Bowden, Darron E. — Associate Judge, Circuit Court of Cook County
Brodsky, David P. — Associate Judge, Nineteenth Judicial Circuit
Bruce, Joseph J. — Associate Judge, Seventeenth Judicial Circuit
Calabrese, Anthony J. — Associate Judge, Circuit Court of Cook County
Carr, John Thomas — Associate Judge, Circuit Court of Cook County
Carroll, Michael G. — Circuit Judge, Sixth Judicial Circuit
Chevere, Gloria — Circuit Judge, Circuit Court of Cook County
Chiampas, Peggy — Associate Judge, Circuit Court of Cook County
Clancy Boles, Susan — Associate Judge, Sixteenth Judicial Circuit
Clay-Clark, LaGuina — Circuit Judge, Circuit Court of Cook County
Coghlan, Martin D. — Circuit Judge, Circuit Court of Cook County
Cook, Michael N. — Associate Judge, Twentieth Judicial Circuit
Costigan, John Casey — Associate Judge, Eleventh Judicial Circuit
Davenport, Linda E. — Associate Judge, Eighteenth Judicial Circuit
Davis, William C. — Circuit Judge, Ninth Judicial Circuit
Deihl, Kenneth R. — Circuit Judge, Seventh Judicial Circuit
Delort, Mathias W. — Associate Judge, Circuit Court of Cook County
Devane, Sheila King — Associate Judge, Circuit Court of Cook County
Doherty, Eugene G. — Circuit Judge, Seventeenth Judicial Circuit
Drew, Melissa A. — Circuit Judge, Second Judicial Circuit
Edidin, Lauren Gottainer — Associate Judge, Circuit Court of Cook County
Egan, James E. — Associate Judge, Twelfth Judicial Circuit
Fahey, Nancy S. — Circuit Judge, Fifth Judicial Circuit
Flannigan, Ellen L. — Circuit Judge, Circuit Court of Cook County
Fletcher, Kenneth L. — Circuit Judge, Circuit Court of Cook County
Garst, Steven L. — Circuit Judge, Fifth Judicial Circuit
Gilfillan, Paul P. — Circuit Judge, Tenth Judicial Circuit
Gillespie, Pamela Hughes — Associate Judge, Circuit Court of Cook County
Goebel, Steven J. — Associate Judge, Circuit Court of Cook County
Gomolinski, William E. — Circuit Judge, Circuit Court of Cook County
Goodman, Carmen Julia Lynn — Circuit Judge, Twelfth Judicial Circuit
Hanson, Robert T. — Associate Judge, Fifteenth Judicial Circuit
Harris Jr., Thomas M. — Associate Judge, Eleventh Judicial Circuit
Hartigan, Daniel E. — Circuit Judge, Fourth Judicial Circuit
Hauser, James M. — Associate Judge, Fifteenth Judicial Circuit
Hettel, Joseph P. — Circuit Judge, Thirteenth Judicial Circuit
Howard, Carol M. — Circuit Judge, Circuit Court of Cook County

Hughes, Bridget J. — Associate Judge, Circuit Court of Cook County
Hylla, David A. — Circuit Judge, Third Judicial Circuit
Jensen, Keith — Associate Judge, Third Judicial Circuit
Jones, Sarah-Marie F. — Circuit Judge, Twelfth Judicial Circuit
Joyce, Timothy J. — Associate Judge, Circuit Court of Cook County
Katz, Stuart P. — Associate Judge, Circuit Court of Cook County
Kelley, Kim L. — Associate Judge, Tenth Judicial Circuit
Koester, Kimberly G. — Circuit Judge, Fourth Judicial Circuit
Hoffman, Margarita Kulys — Circuit Judge, Circuit Court of Cook County
Kuriakos, Ciesil, Maria — Associate Judge, Circuit Court of Cook County
Lambert, Todd D. — Circuit Judge, First Judicial Circuit
Leberman, Joseph — Circuit Judge, First Judicial Circuit
Logue, Patricia M. — Associate Judge, Circuit Court of Cook County
Mangieri, Paul L. — Circuit Judge, Ninth Judicial Circuit
Marisie, Jill Cerone — Circuit Judge, Circuit Court of Cook County
Mason, Rick A. — Associate Judge, Twelfth Judicial Circuit
McGing, James M. — Circuit Judge, Circuit Court of Cook County
McHale, Michael B. — Circuit Judge, Circuit Court of Cook County
Meersman, F. Michael — Circuit Judge, Fourteenth Judicial Circuit
Meyer, Thomas A. — Associate Judge, Twenty-Second Judicial Circuit
Moltz, Martin P. — Associate Judge, Circuit Court of Cook County
Moore, James R. — Circuit Judge, First Judicial Circuit
Morris, Walden E. — Associate Judge, First Judicial Circuit
Morrison, Dwayne I. — Associate Judge, Ninth Judicial Circuit
Morrow, Robert J. — Associate Judge, Sixteenth Judicial Circuit
Mulroy, Thomas R. — Circuit Judge, Circuit Court of Cook County
Murphy, James P. — Circuit Judge, Circuit Court of Cook County
Murphy, Thomas W. — Circuit Judge, Circuit Court of Cook County
Murray, Leonard — Associate Judge, Circuit Court of Cook County
O'Brien, Patrick W. — Circuit Judge, Circuit Court of Cook County
Ocasio III, Ramon — Circuit Judge, Circuit Court of Cook County
Overstreet, David K. — Circuit Judge, Second Judicial Circuit
Panarese, Joseph D. — Circuit Judge, Circuit Court of Cook County
Panegasser, John — Associate Judge, Eighteenth Judicial Circuit
Panozzo, Kathleen Ann — Associate Judge Circuit Court of Cook County
Petka, Edward F. — Circuit Judge, Twelfth Judicial Circuit
Petrone, Angela M. — Associate Judge, Circuit Court of Cook County
Polito, Joseph C. — Associate Judge, Twelfth Judicial Circuit
Powell, Joan E. — Circuit Judge, Circuit Court of Cook County
Quinn, Marguerite — Associate Judge, Circuit Court of Cook County
Reynolds, Jeanne M. — Associate Judge, Circuit Court of Cook County
Rivkin-Carothers, Anita — Circuit Judge, Circuit Court of Cook County
Roberts, Mary C. — Circuit Judge, Circuit Court of Cook County
Schippers, Thomas M. — Associate Judge, Nineteenth Judicial Circuit
Schuster, Naomi H. — Associate Judge, Circuit Court of Cook County
Shanes, Daniel B. — Associate Judge, Nineteenth Judicial Circuit
Shelley, Diane M. — Circuit Judge, Circuit Court of Cook County
Sherlock, Patrick J. — Circuit Judge, Circuit Court of Cook County

Shipplett, Scott — Circuit Judge, Ninth Judicial Circuit
Smith, Jr. Robert S. — Associate Judge, Nineteenth Judicial Circuit
Snyder, James E. — Circuit Judge, Circuit Court of Cook County
Stanfa, Thomas J. — Associate Judge, Sixteenth Judicial Circuit
Stanley, Mark R. — Associate Judge, Second Judicial Circuit
Steines, Stanley B. — Circuit Judge, Fourteenth Judicial Circuit
Stephenson, Domenica A. — Associate Judge, Circuit Court of Cook County
Valderrama, Franklin U. — Associate Judge, Circuit Court of Cook County
Walsh, Neera — Associate Judge, Circuit Court of Cook County
Weber, Christopher L. — Circuit Judge, Second Judicial Circuit
Wolfson, Laretta Higgins — Circuit Judge, Circuit Court of Cook County
Yarbrough, K. Patrick — Associate Judge, Seventeenth Judicial Circuit
Young, John H. — Associate Judge, Seventeenth Judicial Circuit
Zimmer, Richard A. — Associate Judge, Fourteenth Judicial Circuit

2007 REPORT

ANNUAL REPORT
OF THE
ALTERNATIVE DISPUTE RESOLUTION COORDINATING
COMMITTEE
TO THE ILLINOIS JUDICIAL CONFERENCE

Hon. John O. Steele, Chair

Hon. Harris H. Agnew, Ret.
Hon. Patricia Banks
Hon. John P. Coady
Hon. Claudia Conlon
Hon. Donald J. Fabian
Hon. Robert E. Gordon

Hon. David E. Haracz
Hon. Michael D. Kramer
Hon. John J. Laurie, Ret.
Kent Lawrence, Esq.
Hon. Stephen R. Pacey
Hon. Lance R. Peterson

October 2007

I. STATEMENT OF COMMITTEE CONTINUATION

Since the 2006 Annual Meeting of the Illinois Judicial Conference, the Alternative Dispute Resolution Coordinating Committee ("Committee") has found that the climate for alternative dispute resolution ("ADR") continues to be favorable and the legal community has become increasingly receptive to ADR programs. This Conference year, the Committee was busy with many activities, including the consideration of a few proposed Supreme Court rule amendments and formulating a plan to accomplish the projects and priorities set forth by the Court for Conference Year 2007.

As part of the Committee's charge, court-annexed mandatory arbitration programs operating in fifteen counties continued to be monitored throughout the Conference year. The Committee was also cognizant of the Third Judicial Circuit's (Madison County) request to begin operations of a mandatory arbitration program under Supreme Court Rule 86 *et seq* and the Court's subsequent approval of the request.

In the area of mediation, the Committee continued to monitor the activities of the court-sponsored major civil case mediation programs operating in ten judicial circuits. The Committee noted the implementation of child custody and visitation mediation programs in judicial circuits. During the 2008 Conference year, it is anticipated that the Committee will continue to monitor court-annexed mandatory arbitration programs, oversee and facilitate the improvement and expansion of major civil case mediation programs, consider proposed amendments to Supreme Court rules for mandatory arbitration and continue to study and evaluate other alternative dispute resolution options. The Committee will also continue to work on the projects and priorities delineated by the Supreme Court and stand ready to accept new projects for Conference Year 2008.

Because the Committee continues to provide service to arbitration practitioners, make recommendations on mediation and arbitration program improvements, facilitate information to Illinois judges and lawyers, and promote the expansion of court-annexed alternative dispute resolution programs in the State of Illinois, the Committee respectfully requests that it be continued.

II. SUMMARY OF COMMITTEE ACTIVITIES

Court-Annexed Mandatory Arbitration

As part of its charge, the Committee surveys and compiles information on existing court-supported dispute resolution programs. Court-annexed mandatory arbitration has been operating in Illinois in excess of twenty years. Since its inception in Winnebago County in 1987, under Judge Harris Agnew's leadership, the program has steadily and successfully grown to meet the needs of sixteen counties. Most importantly, court-annexed mandatory arbitration has become an effective case management tool to reduce the number of cases tried and the length of time cases remain in the court system. Court-annexed mandatory arbitration has become widely accepted in the legal culture.

In January of each year, an annual report on the court-annexed mandatory arbitration program is provided to the legislature.¹ A complete statistical analysis for each circuit is contained in the annual report. The Committee emphasizes that it is best to judge the success of a program by the percentage of cases resolved before trial through the arbitration process, rather than focusing on the rejection rate of arbitration awards.

The following is a statement of Committee activities since the 2006 Annual Meeting of the Illinois Judicial Conference concerning court-annexed mandatory arbitration.

Projects and Priorities Prescribed by the Supreme Court

The Supreme Court prescribed several projects and priorities for the Committee to consider in Conference Year 2007 as well as meet the dictates of the Committee's general charge and continue projects delineated in Conference Year 2006. The Committee reviewed the list of projects/priorities from 2006 and 2007, and formulated a plan to address those projects. The Committee elected to create subgroups to study each of the projects. As part of the plan, each subgroup will study a specific project and make a recommendation to the Committee to consider as a whole. Below are the projects/priorities the Committee addressed in Conference Year 2007.

Continued Conference Year 2006 Projects and Priorities

Training of Arbitrators

The Supreme Court charged the Committee with "reviewing materials to develop a training curriculum for mandatory arbitration personnel and conduct a needs analysis for training of arbitrators." The Committee gathered arbitrator reference manuals from every judicial circuit in the State of Illinois that has a mandatory arbitration program. The Committee subsequently developed a draft of a uniform manual that includes the required, fundamental practices of mandatory arbitration. One issue under consideration is how to include local arbitration program practices in the uniform manual. The Committee is reviewing the feasibility of appending a tabbed section to the uniform arbitrator reference manual to address local program practices. It is hoped that a uniform arbitrator reference manual will assist judicial circuits with mandatory arbitration in providing materials and training to address the requisite skill set needed to be an effective arbitrator in the State of Illinois. The Committee continues to make revisions to the draft uniform manual before submitting it to the Court for consideration.

¹The AOIC's Court-Annexed Mandatory Arbitration Fiscal Year 2007 Annual Report will be available on the Supreme Court website (www.state.il.us/court).

Child Custody Mediation

The Supreme Court charged the Committee with "studying, examining and reporting on the efficacy of mediation in child custody cases in domestic relations courts as an appropriate ADR application." During Conference Year 2006, the Committee observed the Supreme Court's adoption of the Article IX Rules with respect to child custody proceedings. As part of the Article IX Rules and Supreme Court Rule 99, judicial circuits must develop a mechanism for reporting to the Supreme Court on the mediation program. During Conference Year 2007, the Committee began to dialogue with the Conference of Chief Circuit Judges regarding development of an instrument to standardize the collection of statistics for child custody and visitation mediation. The Committee is awaiting statistical information regarding mediation programs in child custody cases to provide a report to the Court on the efficacy of such mediation programs.

Summary Jury Trials

The Supreme Court charged the Committee with "submitting research and analysis of summary jury trials for the Court's first review." The Committee began examination of the summary jury trial process during Conference Year 2003. The summary jury trial is a specialized process designed to address cases in which significant damages are sought and/or are complex in nature and will consume disproportionate amounts of court time and resources. A summary jury trial can be described as a process that is conducted in one day or less wherein counsel for each side presents an entire case, both evidentiary and argumentatively, and then the case is decided by a jury panel of six individuals. The jury verdict is advisory unless the parties agree otherwise; however, the jury is unaware of this fact while deliberating.

During Conference Year 2006, the Committee reviewed statutory authority and court rules in other jurisdictions with ongoing summary jury trial programs to determine which practices might best accommodate such a program in the State of Illinois. During Conference Year 2007, the Committee finalized a proposed rule governing summary jury trials and presented said rule to the Supreme Court for consideration. This matter is pending with the Court. The Committee believes it is important to offer multiple settlement techniques, such as the summary jury trial, to the trial bench to have at its disposal to use on a discretionary basis.

Conference Year 2007 Projects and Priorities**Supreme Court Rule 93**

The Supreme Court charged the Committee with conducting an "analysis of the need for an increase to the current award rejection fee, and the impact of such an increase on the mandatory arbitration program and litigants." The Committee considered the issue of increasing the rejection fee to determine its impact on raising revenues for arbitration programs as well as its

impact on litigants. Some of the deliberations included discussion on whether or not access to the courts would be obstructed as a result of increasing the rejection fee. Committee members referenced the pauper's petition process whereby litigants can petition the court to request a waiver of the rejection fee if the litigant demonstrates a lack of financial ability to pay. The Committee recommended to amend Supreme Court Rule 93 (a) by increasing the rejection fee for arbitration cases \$30,000 or less from \$200 to \$300. It is hoped that by increasing the rejection rate, litigants will be less likely to reject an arbitration award as a matter of course. The Committee is in the process of drafting correspondence to forward the amendment to the Administrative Office of the Illinois Courts for consideration and presentation to the Court.

Arbitrator Pro Bono Service Credit

The Supreme Court requested that the Committee "review arbitrator services in the context of *pro bono* services, as defined by the Court." The Committee considered whether or not to make a recommendation to the Court to allow arbitrators the opportunity to waive the \$100 compensation associated with service as an arbitrator and accept *pro bono* credit in its stead. After deliberation, the Committee agreed to propose this recommendation as an amendment to Supreme Court Rule 87 (e) which sets forth the fees for service as an arbitrator. The Committee also realized that, for reporting purposes to the Supreme Court, a form would have to be created to prove that the attorney served as an arbitrator and opted for *pro bono* credit for the service. The Committee plans to present the recommendation to the Administrative Office of the Illinois Courts for review and presentation to the Court.

Other Initiatives

The Supreme Court charged the Committee with "undertaking any such other projects or initiatives that are consistent with the Committee's charter." As part of this general charge, the Committee noted the petition by Madison County (Third Judicial Circuit) to the Supreme Court to implement a mandatory arbitration program. The Court approved the request during its November 2006 term and the arbitration program began collecting filing fees in January 2007 and commenced program operations on July 1, 2007.

At the request of the Supreme Court Rules Committee, the Committee reviewed a proposal to amend Supreme Court Rule 90 (c) which would require all pages of any 90 (c) package submitted to the arbitrators be numbered consecutively from the first page to the last page of the package in addition to any separate numbering of the pages of individual documents comprising such package. Upon its review, the Committee submitted a recommendation to the Rules Committee supporting the proposal.

At the request of the Study Committee on Complex Litigation, the Committee reviewed a draft chapter on alternative dispute resolution (ADR) for the Manual for Complex Litigation (Civil). Upon its review, the Committee made recommendations to revise the draft chapter on ADR and presented said revisions to the Study Committee on Complex Litigation for consideration.

Mediation

Presently, court-approved civil mediation programs operate in the First, Eleventh, Twelfth, Fourteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth Circuits and the Circuit Court of Cook County. Supreme Court Rule 99 governs the manner in which mediation programs are conducted. Actions eligible for mediation are prescribed by local circuit rule in accordance with Supreme Court Rule 99.

Court-approved mediation programs have been successful and well received, and have resulted in a quicker resolution of many cases. It is important to recognize that the benefits of major civil case mediation cannot be calculated solely by the number of cases settled. Because these cases are major civil cases by definition, early resolution of a case represents a significant savings of court time for motions and status hearings as well as trial time. Additionally, in many of these cases, resolving the complaint disposes of potential counterclaims, third-party complaints and, of course, eliminates the possibility of an appeal. Finally, court-approved mediation programs are considered by many parties as a necessary and integral part of the court system. They are responsive to a demonstrated need to provide alternatives to trial and have been well received by the participants.

The Committee continues to observe the implementation of new programs as well as monitor existing programs. The Committee also continues to study the area of child custody mediation in accord with the Supreme Court's Article IX Rules with respect to child custody proceedings.

III. PROPOSED COMMITTEE ACTIVITIES FOR THE NEXT CONFERENCE YEAR

During the 2008 Conference year, the Committee will continue to monitor and assess court-annexed mandatory arbitration programs, suggest broad-based policy recommendations, explore and examine innovative dispute resolution techniques and continue studying the impact of rule amendments. In addition, the Committee will continue to study, draft and propose rule amendments in light of suggestions and information received from program participants, supervising judges and arbitration administrators. The Committee will continue to study the projects/priorities and other assignments delineated by the Supreme Court for the upcoming Conference year.

The Committee plans to facilitate the improvement and expansion of major civil case mediation programs. The Committee also plans to actively study and evaluate other alternative dispute resolution options.

IV. RECOMMENDATIONS

The Committee respectfully recommends that the Supreme Court allow the Committee to continue its work toward completing the projects and priorities outlined for Conference Year 2007 as well as the projects which remained from Conference Year 2006. Those projects include consideration of arbitrator training, examining child custody mediation, analysis of award rejection fees, arbitrator *pro bono* service credit, and other initiatives as directed by the Supreme Court.

2007 REPORT

**ANNUAL REPORT
OF THE
AUTOMATION AND TECHNOLOGY COMMITTEE
TO THE ILLINOIS JUDICIAL CONFERENCE**

Hon. Grant S. Wegner, Chair

Hon. Kenneth A. Abraham
Hon. Adrienne W. Albrecht
Hon. Francis J. Dolan
Hon. James K. Donovan

Hon. John K. Greanias
Hon. R. Peter Grometer
Hon. Thomas H. Sutton

October 2007

I. STATEMENT ON COMMITTEE CONTINUATION

The Automation and Technology Committee ("Committee") of the Illinois Judicial Conference shall provide consultation, guidance, and recommendations regarding standards, policies, and procedures relating to the use of technology and automation within the judicial branch.

The general charge assigned to the Automation and Technology Committee includes the development of general guidelines which promote the effective and efficient use of technology and automation in the trial courts, including recommendations for statewide standards, protocols, or procedures. The Committee will analyze and develop recommendations related to rules and statutory changes that will manage the use of technology within the courts. The Committee's work also includes the review and evaluation of technology applications and their impact on the operation and workflow of the court. The Committee will also research and recommend response protocols to resolve security issues which may affect the use of technology.

For Conference Year 2007, the Supreme Court assigned the Automation and Technology Committee projects which include the analysis of video arraignment/deposition technologies and a review of the Disaster Recovery Guide presented in Conference Year 2006.

During the 2007 Judicial Conference year, the Automation and Technology Committee analyzed video court/conference systems and the impact of using these systems in the trial courts. To assist the Committee with its evaluation of video court systems, a survey was distributed to the chief circuit judges requesting feedback as to the circuits' experience with video court systems, how such systems were being used, the benefits and detriments in using video court systems, as well as the local rules or procedures used to govern video court systems in the trial court.

The Automation and Technology Committee requests that it be continued in the 2008 Conference year.

II. SUMMARY OF COMMITTEE ACTIVITIES

The Automation and Technology Committee expended considerable effort on the research and analysis of the technology, caselaw, and rules relating to video court/arraignment systems and their use in trial court hearings. The Committee analyzed the features, technology and components of video court/arraignment systems. Also studied, were the benefits and detriments of these systems and potential uses for specific hearings. The Committee researched legislation, caselaw, and Supreme Court Rules that currently govern the use of such systems, as well as potential areas for revisions in the rules and legislation, differentiating the results by civil hearings and criminal hearings. An impact statement is being compiled which will present the Committee's findings and identify recommendations for any changes to new rules/statutes or revisions to existing rules/statutes.

The Committee also reviewed the Disaster Recovery Guide presented during the 2006 Conference Year. A description of the Committee's activities is summarized below.

A. Video Arraignment/Deposition (Video Court) Project

The Automation and Technology Committee developed an outline to guide its analysis of video court/conferencing systems and their use in the trial courts. The Committee began its research with respect to the technology (components and standards), the potential uses, and the related legislation and Supreme Court Rules, in order to develop an impact statement for consideration by the Conference and Court.

The Committee began by discussing the technology and functions represented by the various terms that define technology and its use during various court hearings. Terminology associated with court functions includes video arraignment, video court, video conference, and video deposition. In addition to terminology, varying technologies and standards are used to 'connect' the separate geographic locations of a video court system. Alternatives for the connections may include closed-circuit technology, dedicated data circuits (T1), the use of the Internet (broadcast or secure connections), fiber optics, or microwave technology. For example, closed-circuit video systems (CCTV) involve the use of video cameras to transmit a signal to a specific, limited set of monitors, which differs from systems that use the Internet, fiber optic, or a microwave connection between multiple locations. However, either technology can be used for motions or first appearance hearings and are included in the Committee's scope of research. Also included in the Committee's analysis is witness testimony from a remote location.

In May 2007, a survey was distributed to the twenty-three chief circuit judges requesting input on the use and any experiences with video court/conference systems within their respective circuit. Sixteen circuits responded with eleven circuits indicating the use of some form of video court/conferencing technology. Two circuits indicated they were exploring the use or expansion of video court/conferencing systems. The survey responses indicated that video court/conference systems were used primarily during first appearances, bond hearings, and remote witness testimony. The benefits of video court/conferencing systems include a significant reduction in transportation costs by eliminating the need to transport prisoners to the court facility, which also impacts the resources required from the sheriff's office. Survey results also included a benefit in enhancing the security in the courthouse, as well as a reduction in outbursts or disruptions during a hearing. The survey results also indicated a benefit in scheduling hearings, and efficiencies in concluding a hearing. Other benefits mentioned were the ability to separate victims from a defendant in child and domestic hearings. Video court/conference systems also provided the ability to reduce travel costs and improve scheduling by allowing remote witness testimony.

The survey results did list several detriments or concerns with the use of video court/conferencing systems. The initial cost of these systems can be high, with recurring costs including data circuits/connections and annual maintenance/support contracts. Additional equipment may also be needed, should evidence presentation systems be integrated in a courtroom and available during a video court/conference hearing. In addition, hearings can be disrupted with equipment malfunctions or the weather may impact the functionality of a system, when using technologies such as microwave connections. Finally, special consideration is necessary to allow defendants

to consult with their attorney in a video court environment.

The Committee is researching the caselaw, legislation, and Supreme Court Rules that impact the use of video court/conferencing systems. The Committee will also explore the need for revisions or new rules which would benefit the use of these systems. The impact statement will include the Committee's analysis of video court/conferencing systems and any recommendations with respect to civil and criminal hearings in Illinois trial courts.

B. Disaster Recovery Guide - Review

The Automation and Technology Committee has reviewed the Disaster Recovery Guide and recommends no changes at this time. However, within the trial courts, opportunity exists in sharing resources among neighboring Illinois counties in many aspects of the Disaster Recovery Guide and in implementing a disaster plan. Such opportunities might include, the use of another courthouse, courtroom or facilities as a contact point during a disaster; offsite storage space with a courthouse more than 15 miles away; or the use of computing resources or infrastructure from a neighboring county during a disaster.

III. PROPOSED COMMITTEE ACTIVITIES FOR THE NEXT CONFERENCE YEAR

For the 2008 Conference year, the Automation and Technology Committee recommends that it be assigned to complete any remaining items relating to the Video Court/Conference Impact Statement and proposed rule or legislative amendments. The Committee also recommends it be assigned the exploration of resource sharing for disaster planning and implementation of an actual plan concerning what is available in a circuit or other facilities in the judicial branch. The Committee is receptive to any other assignments from the Supreme Court or the Judicial Conference Executive Committee.

IV. RECOMMENDATIONS

The Automation and Technology Committee is making no recommendations to the Conference at this time.

**ANNUAL REPORT
OF THE
COMMITTEE ON CRIMINAL
LAW AND PROBATION ADMINISTRATION
TO THE ILLINOIS JUDICIAL CONFERENCE**

Hon. Donald C. Hudson, Chair

Hon. Kathleen M. Alling
Hon. Thomas R. Appleton
Hon. Ann Callis
Hon. Kathy Bradshaw Elliott
Hon. Vincent M. Gaughan
Hon. Daniel P. Guerin
Hon. John Knight
Hon. Paul G. Lawrence

Hon. Ralph J. Mendelsohn
Hon. Steven H. Nardulli
Hon. Lewis Nixon
Hon. James L. Rhodes
Hon. Teresa K. Righter
Hon. Mary S. Schostok
Hon. Michael P. Toomin
Hon. Walter Williams

October 2007

I. STATEMENT ON COMMITTEE CONTINUATION

The purpose of the Committee on Criminal Law and Probation Administration of the Illinois Judicial Conference is to review and make recommendations on matters affecting the administration of criminal law and monitor, evaluate and provide recommendations on issues affecting the probation system. The Committee is further charged to review, analyze, and examine new issues arising out of legislation and case law that impact criminal law and procedures and probation resources and operations.

Since the Committee's inception, a number of critical issues related to criminal law and probation administration have been addressed. Over the years, the Committee has been instrumental in sponsoring amendments to Supreme Court Rules, which have been adopted by the Supreme Court, including Rule 604 (D), 605 (A), and amended 605 (B). The Committee has made recommendations for the enactment of new rules, specifically Supreme Court Rule 402 (A), which was adopted by the Court.

During Conference Year 2006, the Committee concentrated its efforts on examining the trends, models and outcomes of problem-solving courts. A comprehensive report was prepared for the Court entitled *The Efficacy and Trends of Speciality Courts*. In addition, a detailed inventory on Illinois Problem-Solving Courts was developed. The Committee also devoted time reviewing the evidence-based practices (EBP) research and its implications on the work of probation and the judiciary.

This year, the Committee conducted national research and engaged in lengthy discussion on criminal alternative dispute resolution model programs to determine the utility of implementing such a program in Illinois. The Committee also prepared a draft pre-sentence investigation (PSI) report format which incorporates the principles of EBP. A one-page EBP bench guide was developed for the judiciary and a similar guide was crafted for probation officers, supervisors, and managers. Work is on going towards the development of an EBP report for the judiciary, which will provide a detailed explanation of the research and recommendations on how to implement these practices at the bench. The Committee also has updated the *Illinois Problem Solving Court Inventory* and developed a power point presentation on Illinois problem solving courts utilizing information obtained in the surveys provided by probation and court services departments.

The Committee is committed to serving the Court in meeting the assigned projects and priorities, and producing quality information and products. The Committee is requesting to continue addressing matters affecting criminal law and procedures and the administration of probation services.

II. SUMMARY OF COMMITTEE ACTIVITIES

Conference Year 2006 Continued Projects/Priorities:

Project 1: Consistent with the principles of Evidence-Based Practices, examine the implications for the judiciary in defining the scope of pre-sentence investigations and specific conditions of probation sentences.

The Committee prepared a comprehensive report and proposed PSI format relative to its charge (see Appendix A). The members devoted time conducting literature reviews and discussing EBP principles and practices that research indicates reduces an offender's risk to recidivate. Lengthy discussion occurred amongst members on the evolving role of the probation officer as an "agent of change" in helping the defendant develop new attitudes and skills in order to reduce the likelihood of re-offending.

During the Committee's review process, research indicated that assessing risk and need can increase informed decision-making when matching programs and interventions to the needs of the offender and in determining supervision strategies. Committee members focused on the contributions that risk assessment information may have in assisting the judiciary in determining special conditions for probation. A review of the literature indicated three consistent themes:

- 1) Incorporation of risk assessment and re-assessment information to effectively chart a strategy to assess, monitor, or address the defendant's risk, needs, and responsiveness with consideration for the availability of treatment resources in the community;
- 2) Establishment of a pre-sentence investigation (PSI) format that contains information and factors that are predictive of risk and re-offending; and
- 3) Importance of training for stakeholders participating in the sentencing process. Probation officers should be trained in enhanced interviewing techniques, determining risk, and targeting interventions. Judges, prosecutors, and defense attorneys should be aware of the risk principles and their application in the sentencing process.

The Committee members were aware that Illinois' adult probation officers are assessing a defendant's risk utilizing the Level of Service Inventory-Revised (LSI-R), a validated risk and need assessment tool. Through the application of motivational interviewing techniques, the probation officer is trained to obtain pertinent information to score the LSI-R, target those attitudes, values, and beliefs that support pro-criminal behaviors, and determine the defendant's motivation for change. The LSI-R measures risk and need within ten domains or areas: criminal history, education/employment, financial, family/marital, accommodation, leisure/recreation, companions, alcohol/drug problems, emotional/personal, and attitudes/orientation. Since many of these areas are consistent with information that is of interest to the judiciary in determining sentencing and conditions of probation, members deemed it noteworthy to further study the merit of incorporating risk assessment information within the PSI.

The Committee developed a PSI report format incorporating EBP terminology and practices (such as motivational interviewing techniques and risk assessment information from the LSI-R) that is consistent with current Illinois statute. The proposed PSI format is divided into seven sub-sections:

- Court/Offense Information
- Demographic Information
- Criminal Risk/Need and Protective Factors (including History of Delinquency and Criminality; Substance Use/Abuse; Associates/Companions; Attitudes/Values; Family/Marital; Education/Employment; Emotional/Personal; Housing; Financial; and Recreation/Leisure)
- Victim Impact Statement
- Defendant's Statement
- Co-Defendant's Statement
- Summary (including Protective Factors; Risk Factors; Targeted Interventions and Supervision Strategies/Available Resources; and Conclusions).

The proposed format provides pertinent information to judges that contributes to informed decision-making with implications for sentencing and, when determining special conditions on probation, matching programs and interventions to the needs of the offender and determining supervision strategies.

Project 2: Study, examine and report on the efficacy of "Problem-Solving Courts" in the management of criminal felony and misdemeanor cases and offenders, including identification of objective factors/criteria to measure the efficacy of specialty courts.

In 2006, the Committee developed and distributed a survey to Probation and Court Service Departments regarding the implementation of "Problem-Solving Courts" within their jurisdiction. The information obtained in the survey provided for the development of an *Illinois Problem-Solving Court Inventory*. In addition, the Committee prepared a comprehensive report entitled *The Efficacy and Trends of Specialty Courts*.

This year, the Committee updated the *Problem-Solving Court Inventory* (see Appendix B) as two new mental health courts have been implemented. In addition, the Committee prepared a summary on the characteristics of Illinois "Problem-Solving Courts" utilizing the 2006 survey results.

Conference Year 2007 Projects/Priorities:***Project 1: Develop an Evidence-Based Practices Guide for use by the judiciary.***

The Committee was charged to develop an evidence-based practices guide for the judiciary. Given the depth and complexity of the EBP research, members proposed an initial "At A Glance" EBP Guides for the judiciary and for probation (see Appendix C). Each of these guides contains concise and practical information on the Risk, Need and Responsiveness Principles, adult and juvenile assessment tool domains, criminogenic needs, and interventions that research has found are effective or not so effective. It also includes a description on the eight principles of EBP and practical approaches judges and probation officers can utilize to implement these practices. Beyond the one page guides, the Committee has begun to craft a more in-depth EBP Guides for judges, which should be ready for the 2008 Conference, if the Court determines this project is worthy of continuation.

Project 2: Consider criminal dispute resolution and report on the utility of such a program in Illinois.

For this Conference year, the Supreme Court charged the Committee with studying the viability of establishing a criminal alternative dispute resolution (ADR) program in Illinois. To accomplish this charge, a subcommittee was appointed to obtain information on ADR programs operating in other states. The subcommittee researched programs from Colorado, New York, North Carolina, and Ohio, which revealed the following:

- **Colorado:** The Colorado Fourth Judicial Circuit's program does not have legislative imprimatur; however, the Colorado legislature is considering enacting such. Cases were referred to the program by the court. The program utilizes retired judges to act as the facilitator between the State and the Defendant and is funded by county government funds. All types of cases may be placed into the program, including major felonies.
- **New York:** The New York program is state sponsored and funded by state appropriations. Law enforcement refers cases to the program thereby bypassing the court system and the District Attorney's Office. The program is limited to misdemeanor cases only. New York contracts with a private mediation company to provide qualified mediators.
- **North Carolina:** The Mediation Network of North Carolina: Dispute Settlement of Orange County administers the program and recruits and trains a cadre of volunteers as mediators. There is no statutorily authorized criminal alternative dispute resolution program in North Carolina. Cases were referred to the program by the court. The program is limited to misdemeanor cases, excluding domestic violence cases. Funding

is from fees collected in each case, from criminal or civil dispute resolution, conducted by the Mediation Network of North Carolina Mediators.

- **Ohio:** The Ohio Commission on Dispute Resolution and Conflict Management is a statutorily created state agency that oversees dispute resolution programs in Ohio. The Clermont County program was examined. Participants are referred to the program by the police and the cases are limited to misdemeanors. The criminal dispute resolution program in Clermont County is a division of the prosecutor's office and is funded entirely by the County with no cost to the participants. Mediators are full time and have been awarded degrees in either criminal justice or sociology.

The foregoing illustrates the myriad nature and types of cases referred to the program; the entity that refers cases; the criteria for qualified mediators, and the funding structure. The subcommittee also reported that there are benefits and challenges of implementing criminal alternative dispute resolution programs among the state programs examined. The common benefits and challenges include:

Proposed benefits:

- Parties can reach an agreement satisfactory to the state, the victim(s), and the defendant.
- Victims feel more at ease in the less structured mediation format.
- The more casual mediation setting may be more comfortable for all the participants.
- Closure can occur between the victim and the offender.

Potential challenges:

- Determine types of charges eligible for dispute resolution.
- Determine who would act as the source of referral for cases to participate in a dispute resolution program.
- The cost of a criminal dispute resolution program for start up, staffing and maintenance. Costs associated in cases whereby no agreement is reached and the case then returns to court and proceeds through the criminal justice system.
- Strategies to address advocacy and interest groups that may not support mediation programs for domestic battery charges; believing that mediation removes domestic

violence and its offenders from the harsh glare of a public courtroom and returns such cases to the background. Due to the extensive differences in the operational aspects of each of the programs examined by the sub-committee, the full Committee believes that more time is needed to study the issue whether or not a criminal alternative dispute resolution program would be viable for Illinois.

- Questions that may be discussed include:
- Whether or not legislation authorizing a criminal dispute resolution program in Illinois should be passed prior to any implementation;
- Who should act as mediators; what qualifications should be required; the nature and extent of initial training before being an authorized mediator; the nature and extent of any continuing training; the nature and extent of compensation; the number of mediators required; and should the mediators be employees, private contractors, or obtained from a mediation service.

Project 3: Study, examine and report on Supreme Court Rules as they relate to criminal procedure and court processes.

No proposed rule changes were submitted to the Committee for consideration.

Project 4: Continue to monitor the impact of Crawford v. Washington and its progeny on the Illinois Courts.

The Committee has continued to discuss and monitor the impact of the U.S. Supreme Court ruling in the case of *Crawford v. Washington*, 541 U.S. 36, 124 S. Ct. 1354, 158 L.Ed2d 177 (2004) and its progeny on the Illinois courts.

Project 5: Undertake any such other projects or initiatives that are consistent with the Committee charge.

The Committee continues to support revisions of the Illinois criminal statutes to simplify and clarify existing law, provide trial courts with a range of effective sentencing options, and provide trial judges with the discretion essential to a fair and effective system of criminal justice. The Honorable Michael P. Toomin is a member of the Criminal Law, Edit, Alignment, and Reform (CLEAR) Commission. Judge Toomin has informed the Committee of the status of the CLEAR Commission report in the General Assembly designated as Senate Bill 100. The Committee will continue to monitor the status of this important initiative.

III. PROPOSED COMMITTEE ACTIVITIES FOR THE NEXT CONFERENCE YEAR

While the Committee has made significant progress addressing its charges, much of the Committee's work is ongoing and evolving. Due to the variances of the criminal dispute resolution programs, the Committee is requesting to continue its work in determining the viability of a criminal alternative dispute resolution program in Illinois and, if a program is deemed viable, to develop strategies for the effective implementation of such a program. The Committee also would like to continue its work on the development of an EBP report for the judiciary detailing practices that can be incorporated on the bench. In addition, the Committee is interested in taking on any new assignments, as deemed appropriate by the Court, as it relates to matters affecting the administration of criminal law and the probation system.

IV. RECOMMENDATIONS

The Committee is recommending that the Conference forward to the Court for its consideration and adoption the EBP Guides for the Judiciary and Probation as well as the Pre-Sentence Investigation format, which incorporates the principles of EBP.

2007 REPORT

APPENDIX A:

Pre-Sentence Investigation Report

PRE-SENTENCE INVESTIGATION REPORT

CRIMINAL LAW AND PROBATION ADMINISTRATION COMMITTEE

**January 26, 2007
Chicago, Illinois**

PRE-SENTENCE INVESTIGATION REPORT

The Criminal Law and Probation Administration Committee is charged to examine the implications for the judiciary in defining the scope of the Pre-Sentence Investigation (PSI) and specific conditions of probation. The Committee devoted time in conducting reviews of literature and other information and prepared a draft PSI report format to meet statutory requirements and include pertinent information on risk factors that will assist the courts in determining conditions of probation in Illinois.

This document is separated into four sections: Background and Approach, PSI Statutory Requirements, Review of Information, and Discussion.

I. Background and Approach

Since 2001, the Administrative Office of the Illinois Courts, Probation Services Division (AOIC) in collaboration with probation and court services departments, has implemented initiatives based upon the eight principles of evidence-based practices (EBP) that research has shown are effective in reducing recidivism. These principles are:

- Assessing risk and need;
- Enhancing motivation of the offender to change;
- Targeting interventions to the offender's needs;
- Providing skill training to staff;
- Increasing positive reinforcers;
- Engaging ongoing support in the community;
- Measuring relevant processes and practices; and
- Providing measurement feedback.

Measuring Risk and Needs. The work began in 2001 within the juvenile probation arena through the Juvenile Risk Reduction Strategy Initiative. By 2004, the AOIC implemented the Adult Risk Reduction Strategy Initiative with a primary focus on graduated risk assessment, case planning and supervision, cognitive programming, and enhanced interviewing techniques. The AOIC adapted the Wisconsin Risk Tool that had been used by Illinois adult probation since the early 1990's and re-named it the Illinois Pre-Screen Instrument (IPI). The IPI functions as a pre-screen to identify low risk offenders. The AOIC also designated the Level of Service Inventory-Revised (LSI-R) the risk assessment tool to be utilized in determining moderate to high risk adult offenders. The LSI-R assesses risk and need within ten domains or areas: criminal history, education/employment, financial, family/marital, accommodation, leisure/recreation, companions, alcohol/drug problems, emotional/personal, and attitudes/orientation. In September 2006, the IPI and the LSI-R were validated for the Illinois adult probation population. By March 2007, adult probation staff in all Illinois counties will be trained on the administration and scoring of the IPI and the LSI-R.

The IPI and the LSI-R measure static risk and dynamic risk (also known as criminogenic need). Static risk includes those factors that are present and can not be changed (such as criminal history, age of first arrest, or offense type). Criminogenic need is dynamic and can fluctuate and change over time and situation. Need factors include employment, substance use history, companions, attitudes, family or marital relationships, or education. They are particularly important because they identify target areas for interventions. While some dynamic factors in the defendant's life contribute to risk, these same factors can also be "protective" in that they

“insulate” the risk. Some examples include, pro-social family or friends, stable employment, school achievement, or involvement with pro-social community activities.

Approach. To complete this report, Committee members garnered information from a review of literature, national consultants, local jurisdictions throughout the United States and Canada, and the National Institute of Corrections web-based collaboration and networking forum. The Committee also requested copies of court orders and PSI reports from probation departments within each judicial circuit in Illinois. Information, articles, or reports regarding policies, procedures, or samples of PSI reports which incorporate the risk principles/factors were reviewed.

II. PSI Statutory Requirements

Statutory requirements of information that must be contained in the Pre-Sentence report can be found in 730 ILCS 5/5 and are summarized below:

<p>Felony Cases</p> <ol style="list-style-type: none"> 1. Delinquency or criminal history, physical and mental history and condition, family situation and background, economic status, education, occupation, and personal habits; 2. Special resources within the community including treatment centers, residential facilities, vocational training, employment, special education, alcohol and substance abuse services, and mental health services; 3. Effect the offense committed has upon the victim or victims and compensatory benefit; 4. Status since arrest; 5. Plan based upon the personal, economic, and social adjustment needs utilizing community resources; 6. Any other matters the investigating officer deems relevant; and 7. Information on eligibility for a sentence to an impact incarceration program.
<p>Felony Sex Offense Cases</p> <ol style="list-style-type: none"> 1. Items 1-6 above; and 2. Sex offender evaluation in compliance with the Sex Offender Management Board Act.
<p>Criminal Sexual Abuse or Violation of an Order of Protection Cases</p> <ol style="list-style-type: none"> 1. Information about alcohol, drug abuse, psychiatric, and marriage counseling or other treatment programs or facilities; 2. Delinquency or criminal history; and 3. Other information, as specified by the court.

In Illinois, probation officers complete the PSI investigation and report utilizing a PSI format that is consistent with the statutory provisions (A sample template of the current PSI format is contained in Attachment A). More recently, some departments have enhanced the format by incorporating information from the LSI-R and identifying protective factors.

III. Review of Information

In preparing this section of the report, the Committee reviewed 1) PSI policies, procedures, and formats from several state and local jurisdictions, and 2) relevant studies, articles, and reports

regarding the application of the PSI in sentencing, determining interventions, and improving supervision and outcomes. The information contained herein are a highlight of just a portion of this information. Research indicates that assessing risk and need can increase informed decision making when matching programs and interventions to the needs of the offender and in determining supervision strategies. A PSI report format incorporating evidence-based principles has been drafted based upon this information (See Attachment B).

There emerged three consistent themes:

1. Incorporation of risk assessment and re-assessment information to effectively chart a strategy to assess, monitor, or address the defendant’s risk, needs, and responsiveness with consideration for the availability of treatment resources and community safety;
2. Establishment of a PSI format that contains information and factors that are predictive of risk and re-offending; and
3. Importance of training for stakeholders’ participating in the sentencing process. Probation officers should be trained on using enhanced interviewing techniques, determining risk, and targeting interventions. Judges, prosecutors, and defense should be aware of the risk principles and their application in the sentencing process.

Studies on the PSI. In reviewing the literature, two separate studies (Norman and Wadman, 2000 and Bonta and Bourgon, et al, 2005) conducted in Utah and Canada, respectively, surveyed judges, probation officers, defense, and prosecution on their perceptions of the pre-sentence report.

Utah. Some of the findings in the study indicated that many PSI users did not read the entire report and were selective readers; it contained inaccurate or unverified information, and respondents favored some sections over others, as indicated below:

Highest Ranked PSI Sections	Lowest Ranked PSI Sections
Adult Record Probation/Parole Victim Impact Statement Pending Cases Official Version of the Offense Drug History Agency Recommendation Alcohol History Gang Affiliation Evaluative Summary	Military Record Physical Health Mental Health Marital History Financial Record Education Plea Bargain Collateral Contacts Custody Status Employment History

Canada. The study examined two main parts: 1) What was considered important to include in the PSI report; and 2) What was the role of the PSI in sentencing. Findings included that the use of evidence-based risk-needs assessment tools were needed to ensure appropriate sentences and the value of treatment recommendations. The top 10 Most Highly Rated Factors in the PSI according to respondent judges and probation officers are indicated below:

Judges	Probation Officers
<ol style="list-style-type: none"> 1. Amenability and motivation for treatment 2. Past response to supervision 3. Treatment availability and plans 4. Substance abuse history and present use/abuse 5. Psychiatric history and diagnosis 6. Domestic violence, marital relationship, and partner characteristics 7. Assessment of risk to re-offend sexually 8. Offender's perception of substance abuse problem 9. Treatment recommendations 10. Assessment of risk to re-offend violently 	<ol style="list-style-type: none"> 1. Domestic violence, marital relationship, and partner characteristics 2. Assessment of risk to re-offend sexually 3. Past response to supervision 4. Assessment of risk to re-offend violently 5. Substance abuse history and present use/abuse 6. Psychiatric history and diagnosis 7. Victim safety including statements and notifications 8. Offender's perception of substance abuse problem 9. Amenability and motivation for treatment 10. Previous convictions

Types of PSI Reports. The State of Michigan utilizes three types of PSI reports:

- 1) Full PSI. Includes interview, investigation, evaluation, plan, program, and sentence recommendations.
- 2) Abbreviated PSI. Includes basic information sheet, interview, and sentence recommendations. This report is generally used when time is limited, the defendant has been on probation previously, and a full PSI is available or the judge is familiar with the background. There are some limitations to this report since not all information is verified.
- 3) Oral PSI. Includes basic information sheet, interview, and sentence recommendations and is presented orally by the probation officer. Generally used when judge intends to sentence the defendant the same day. This type of report is never used on felony cases.

Incorporation of Assessment Information in Illinois' PSI. A limited number of probation departments in Illinois include risk assessment information in their PSI report or instructions. References to attitudes toward the offense, strengths and weaknesses, the use of information obtained from the LSI-R, and interviewing cues on the use of enhanced interviewing skills are some examples included in the format or the instructions. An example PSI report and sample offender profile and completed LSI-R have been included in Attachment C.

IV. Discussion

1. How useful is the current PSI report? How is the information contained in the report used in sentencing? Are some sections more useful than others?

2. What evidence-based practices information should be included in the PSI?
3. What revisions to the statutes are necessary?
4. What information should the AOIC incorporate into PSI investigations and reports as standards are developed?

SOURCES OF INFORMATION

States and Local Jurisdictions

1st Judicial Circuit-Adult Client Services Branch
Honolulu, Hawaii

5th Judicial District-Department of Corrections
State of Iowa

Administrative Office of the Courts
State of Michigan

Bartholomew County-Court Services
State of Indiana

Department of Corrections, Community Corrections
State of Oregon

Department of Corrections, Division of Community Corrections
State of Wisconsin

Judicial Circuits (1st through 22nd and Cook County)
State of Illinois

Maricopa County-Adult Probation
Phoenix, Arizona

Supreme Court of Colorado
State of Colorado

United States Probation
Middle District of Florida

Articles, Reports, or Studies

Bonta, J., G. Bourgen, et.al. *Pre-Sentence Reports in Canada 2005-03*.

Center on Juvenile and Criminal Justice, *History of the Pre-Sentence Investigation Report*.
cjcj.org/pubs/psi/psireport.html

Cohn, A. and M. Ferriter (1990). *The Pre-sentence Investigation Report: An Old Saw with New Teeth*.

Ohio Justice Alliance for Community Corrections, *Evidence-Based Practices: A Primer*.
www.ogacc.org

Griggs, J. *Targeting Risk-Related Needs in the Pre-sentence Investigation Report to Improve Offender Community Reentry*. Federal Sentencing Reporter, Vol. 16, No. 3, February 2004.

Norman, M. and R. Wadman (2000). *Utah Pre-sentence Investigation Reports: User Group Perceptions of Quality and Effectiveness*.

Raynor, P. and J. Kynch, et al (2000). *Home Office Research Study 211: Risk and Need Assessment in Probation Services: An Evaluation*.

Simourd, D. (2003). *Arizona Supreme Court: Administrative Office of the Courts-Adult Probation Services Division Risk and Needs Assessment Project*.

Stinchcomb, J. and D. Hippensteel. *Pre-sentence Investigation Reports: A Relevant Justice Model Tool or a Medical Model Relic?* Criminal Justice Policy Review, Vol. 12, No. 2, June 2001.

Vigorita, M. *Judicial Risk Assessment: The Impact of Risk, Stakes, and Jurisdiction*. Criminal Justice Policy Review, Vol. 14, No. 3, September 2003.

Vigorita, M. *Prior Offense Type and the Probability of Incarceration*. Journal of Contemporary Criminal Justice, Vol. 17, No. 2, May 2001.

Wolff, M. And H. Caskey (2004). *New Sentencing Recommendations Aim for Fully Informed Decisions*. The Missouri Bar.

Wolff, M. *Missouri's Information-Based Discretionary Sentencing System*.

Attachment A

CIRCUIT COURT OF ILLINOIS
____TH JUDICIAL CIRCUIT
____ COUNTY

CURRENT PRE-SENTENCE INVESTIGATION REPORT
FORMAT

COURT INFORMATION

Judge:
Prosecutor:
Defense:
Prepared by:

Offense:
Case #:
Date of offense:
Date of arrest:
Bond information:
Status since arrest:
Sentencing date:

PERSONAL DATA

Name:
Alias:
Address:
Telephone #:
Date of birth:
Place of birth:
Citizenship:
Social Security #:
DL State:
DL #:
FBI #:
SID #:

PHYSICAL DESCRIPTION

Sex:
Race:
Height:
Weight:
Eyes:
Hair:
Marks:

I. HISTORY OF DELINQUENCY AND CRIMINALITY

_____A. Juvenile:

_____	<u>Offense date</u>	<u>Case #</u>	<u>Offense</u>	<u>County</u>	<u>Disposition/date</u>

_____B. Adult:

_____	<u>Offense date</u>	<u>Case #</u>	<u>Offense</u>	<u>County</u>	<u>Disposition/date</u>

_____C. Probation / Parole History:

II. PERSONAL AND FAMILY HISTORY

_____A. Current Living Situation:

_____B. Marital Information: (dates, status, spouse's name/s, etc.)

_____C. Parent Information: (age, d.o.b., address, phone #, occupation, medical/MH problems, drug/alcohol use, criminal record, etc.)

_____D. Sibling Information: (age, d.o.b., address, phone #, occupation, medical/MH problems, drug/alcohol use, criminal record, etc.)

_____E. Children Information: (age, d.o.b., living arrangements, other parent information, etc.)

III. HEALTH HISTORY

_____A. Physical:

_____B. Mental:

_____C. Alcohol Use:

_____D. Drug Use:

IV. EDUCATION

V. EMPLOYMENT

_____A. Current Employment Information

_____B. Previous Employment Information

VI. ECONOMIC STATUS

VII. MILITARY

VIII. INTERESTS & ACTIVITIES

IX. VICTIM IMPACT

X. SUMMARY & ANALYSIS

XI. AVAILABLE RESOURCES

XII. RECOMMENDATIONS

Respectfully Submitted,

John Smith
Probation Officer

PROPOSED PRE-SENTENCE INVESTIGATION REPORT

I. COURT/OFFENSE INFORMATION

Judicial Circuit:
 State's Attorney:
 Case Number:

Judge:
 Defense Attorney:
 Sentencing Date:

Offense:
 Date of Offense:
 Date of Arrest:
 Official Version of Offense:
 Status Since Arrest:

II. DEMOGRAPHIC INFORMATION

Name:
 Address:
 City/State/Zip Code:
 Phone/Cell Phone:
 Date of Birth
 Place of Birth:
 Driver's License Number:

Alias/Maiden Name:
 Ht: Wt: Hair: Eyes:
 Gender:
 Scars/Tatoos:
 Citizenship:
 Social Security Number:

III. CRIMINAL RISK/NEED PROTECTIVE FACTORS

- History of Delinquency and Criminality

This section may include history of juvenile and adult offense/disposition; incarceration, parole and probation; also include protective factors

- Substance Use/Abuse

This section may include history of alcohol/drug problems; history of treatment interventions and response; current alcohol and drug usage; impact of use/abuse on marital/family/employment; also include protective factors

- Associates/Companions

This section may include anti- and pro-social associates or friends; also include protective factors

- Attitudes/Values

This section may include negative or minimization of offense, anti-social beliefs and values; adjustment/response to rules; also include protective factors

- Family/Marital

This section may include a summary of the family constellation, marital/partner situation, criminal history of family members, and the influence of other anti-social attitudes or behaviors; also include protective factors

Education/Employment

This section may include current employment status including duration; education history including participation and performance; interactions with peers or persons in authority; current education status; also include protective factors

Emotional/Personal

This section may include ability to manage everyday living; mental health history or severe emotional or cognitive problems; history of treatment interventions; current mental health status/treatment; psychological/psychiatric assessments; also include protective factors

Housing (Accommodation)

This section may include a history of address changes; neighborhood deficits or strengths; community ties; living arrangements; also include protective factors

Financial

This section may include information on problems and forms of assistance; also include protective factors

Recreation/Leisure

This section may include information on involvement in structured activities; activities outside work/school; also include protective factors

IV. VICTIM IMPACT STATEMENT

V. DEFENDANT'S STATEMENT

VI. CO-DEFENDANT'S STATEMENT

VII. SUMMARY

Protective Factors

- 1)
- 2)
- 3)

Risk Factors

- 1)
- 2)
- 3)

Targeted Interventions and Supervision Strategies/Available Resources

- 1)
- 2)
- 3)
- 4)

Conclusions

Report Prepared By:
Date:

**PRE-SENTENCE INVESTIGATION REPORT
EXAMPLE**

I. COURT/OFFENSE INFORMATION

Judicial Circuit:	23 rd Judicial Circuit	Judge:	Honorable Joe Josephson
State's Attorney:	Mr. Tony Smith	Defense Attorney:	Ms. Nancy Johnson
Case Number:	06 CM 172	Sentencing Date:	September 21, 2007

Offense:	Theft Under \$300
Date of Offense:	November 27, 2006
Date of Arrest:	November 27, 2006

Official Version of Offense:

The defendant entered the Dominick's Grocery Store located at 211 Veterans Parkway in the city of Skyler at approximately 11:00 p.m. on November 27, 2006. The employee on duty observed the defendant place a bag of shrimp inside his jacket, and promptly notified store security. When the security guard attempted to stop the defendant, the defendant punched and threatened the security guard. The security guard was able to eventually restrain the defendant until local law enforcement arrived. The defendant was placed under arrest for Theft Under \$300.

Status Since Arrest:

The defendant was arrested on November 27, 2006 for the offense of Theft Under \$300. He was taken to the Skyler County Jail where he remained in custody for a total of 1 day before being released on his own recognizance. Since his release, the defendant has been residing with his mother. The defendant reported as directed for purposes of completion of this pre-sentence investigation report, and remained compliant throughout the process.

II. DEMOGRAPHIC INFORMATION

Name:	John Smith	Alias/Maiden Name:	Not applicable
Address:	112 North Street	Ht:	5'11"
City/State/Zip Code:	Skyler, IL 67890	Wt:	200 lbs.
Phone/Cell Phone:	555-216-8989	Hair:	Brown
Date of Birth:	March 4, 1983	Eyes:	Brown
Place of Birth:	Skyler, Illinois	Gender:	Male
Driver's Lic Number:	S490-558-4321	Scars/Tattoos:	None
Social Sec Number:	444-44-4444		
Citizenship:	United States		

III. CRIMINAL RISK/NEED AND PROTECTIVE FACTORS

History of Delinquency and Criminality

This section may include history of juvenile and adult offense/disposition; incarceration, parole and probation; also include any protective factors

Mr. John Smith was first involved in the criminal justice system at the age of 13. This involvement resulted in an adjudication for battery. He was placed on probation for a period of 12 months. During the term of his juvenile probation, Mr. Smith was arrested for criminal trespass to property as well as disorderly conduct. Mr. Smith was revoked and readmitted to probation for a term of 24 months, which he successfully completed.

The offense for which Mr. Smith is currently being sentenced represents his third adult conviction. Prior adult convictions include theft under and assault. Mr. Smith was placed on supervision for the offense of theft under. While he was on supervision, he was arrested for the assault. Mr. Smith's supervision was revoked and he was placed on probation for 12 months due to his new arrest. The assault charge was dismissed per plea. Mr. Smith successfully completed his probation with no further violations.

Substance Use/Abuse

This section may include history of alcohol/drug problems; history of treatment interventions and response; current alcohol and drug usage; impact of use/abuse on marital/family/employment; also include any protective factors

Mr. Smith reported he first used marijuana and alcohol at the age of 13 in an attempt "to fit in with the older kids." He further reported he currently uses marijuana five to six times per year. This use has been consistent since the age of 13. Mr. Smith advised he "has never been a big drinker," and consumes only 2-3 beers per occasion. He drinks alcohol every other day and sometimes on weekends. He advised he rarely drinks to intoxication. This officer spoke with Mr. Smith's mother, who reported that "while he consumes alcohol, drinking is not a major problem" for her son.

There is no history of substance abuse treatment. There is also no indication that use of substances has negatively impacted Mr. Smith's previous job performance, school performance, or relationships. There are no medical conditions associated with his use. Mr. Smith reports no use of substances prior to his criminal activity. Police reports support this claim.

Associates/Companions

This section may include anti- and pro-social associates or friends; also include any protective factors

Mr. Smith reported having two separate groups of people he considered to be friends. He occasionally associates with two men he became friends with while still in high school. Neither of these men have any history of criminal involvement and by all accounts are productive members of society. Mr. Smith also indicated he spends much of his free time with a group of people that have been actively involved in the criminal justice system. He admitted that most of his regular friends have criminal records.

It should be noted that the police report for the offense Mr. Smith is now being sentenced indicated a possible co-defendant. Mr. Smith further advised he was with one of his friends during the commission of this offense.

 Attitudes/Values

This section may include negative or minimization of offense, anti-social beliefs and values; adjustment/response to rules; also include any protective factors

John Smith has a history of criminal involvement and has shown periods of non-compliance as well as periods of compliance. His criminal history indicates that he has established a pattern of non-compliant behavior followed by interventions and court consequences which result in compliant behavior. This is shown by his violations of supervision and/or probation followed by successful completion(s) of probation.

During the interview for the report, Mr. Smith reported that he believes "shoplifting" is a very minor offense given that "no one got hurt." While discussing his previous criminal history, Mr. Smith reported that he feels as though he "was given too much probation by a judge who really did not understand the situation." General statements that provide insight into his attitudes about law-abiding behaviors include; "Police officers are only in it for the power. They should spend their time going after more serious cases."

Mr. Smith does not like to discuss problems around anger control, and frequently minimized his use of physical aggression. Discussion with his mother confirms that this is a major area of difficulty for him. Generally, Mr. Smith's attitude is very supportive of criminal behavior.

Family/Marital

This section may include a summary of the family constellation, marital/partner situation, criminal history of family members, and the influence of other anti-social attitudes or behaviors; also include any protective factors

Mr. Smith was born in Skyler, Illinois on March 4, 1983 to Mr. John Wright and Ms. Nancy Smith. He is the middle child in a family of three children. He has one older brother and one younger sister, and although he reported that he does not have a strong relationship with them, he does not dislike them. He further reported he feels they could become closer. Ms. Smith and her son have a close relationship. Mr. Smith indicated that he feels his mother is always available for him and that he is comfortable discussing anything with her. Mr. Wright was "in and out" of the family unit during Mr. Smith's early childhood. During Mr. Smith's teenage years, they began to develop a relationship, however his father passed away when John was 17 years old. None of Mr. Smith's immediate family members have a criminal history or any indications of criminal behavior.

Mr. Smith reported having a positive relationship with his maternal aunts and maternal grandmother. Discussion with his family members indicates they are willing to provide John with moral support and would welcome him into their homes if he required a place to live.

Mr. Smith has one son, age 6, who currently resides with Ms. Susan Jones. While John reported that he has a strong relationship with his son, he further reported that due to his tenuous relationship with his son's mother, his visitation is limited. Mr. Smith is ordered to pay child support in the amount of \$250.00 per month. He is currently \$4,500.00 behind with his payments.

Education/Employment

This section may include current employment status including duration; education history including participation and performance; interactions with peers or persons in authority; current education status; also include any protective factors

Mr. John Smith graduated from Highland High School in 2002. He had a history of behavior problems throughout his high school career that included disruptive classroom behavior and numerous physical altercations with other students. His disciplinary record indicates multiple suspensions as a direct result of the fighting. Mr. Smith was also placed in a behavior disorder classroom as a result of his behavior. No formal behavior disorder has been diagnosed.

Since his graduation from high school, John has been employed periodically. Immediately prior to the offense for which he is now being sentenced, Mr. Smith was employed at Bed Rock Landscaping. He reported that he left this job after receiving an inheritance check which allowed him to live a more leisurely lifestyle. Prior to his employment with Bed Rock Landscaping, Mr. Smith was employed at Mobil Gasoline Station for approximately 3 months. John left this job because he had “planned to go to college.” It should be noted that Mr. Smith was never enrolled for college courses. John worked as an inventory clerk for a stationary supply store immediately before his employment with Mobil. He was employed as a clerk for 6 months and reported that he quit for “no particular reason.” Mr. Smith’s first employment was at Taco Bell when he was in the 11th grade. He reported having worked there for 2 months and advised he quit his job because he was “embarrassed” to work there.

During his various periods of employment, it should be noted that Mr. Smith had positive working relationships with co-workers and employers. He has no history of work related discipline and has never been fired from employment.

 Emotional/Personal

This section may include ability to manage everyday living; mental health history or severe emotional or cognitive problems; history of treatment interventions; current mental health status/treatment; psychological/psychiatric assessments; also include any protective factors

Mr. Smith has no history of involvement with mental health treatment. He currently does not suffer from any psychosis. As indicated previously in this report, Mr. Smith was placed in a behavior disorder classroom during high school, however there was no evaluation completed at that time. Mr. Smith reported that he struggles with making good decisions. When he is experiencing difficulty with his emotions he usually just walks away or keeps everything in. It is important to note there is a substantial history of physical altercations involving John. During the interview for this report, it was identified that areas of concern include Mr. Smith’s level of consequential thinking, problem solving skills, and ability to appropriately manage his emotions.

Housing (Accommodation)

This section may include a history of address changes; neighborhood deficits or strengths; community ties; living arrangements; also include any protective factors

Mr. Smith does not have a stable accommodation pattern. He consistently moves from living with his friends to staying with his mother. He occasionally has extended visits with his aunts and grandmother. He has not yet established a situation where he shares rent or pays for any of his accommodations. His history of residence changes involve three to four moves per year. This has been a pattern for John since he graduated high school in 2002.

When John is staying with his mother, aunts or grandmother, he is situated in a neighborhood that has very low levels of criminal activity. Conversely, the friends John has lived with places him in neighborhoods that have frequent police surveillance due to high crime activities.

 Financial

This section may include information on problems and forms of assistance; also include any protective factors

Mr. Smith is currently unemployed and has no means of income. He has never opened a savings or checking account. John indicates that he has “no real problem” with his current financial situation as he does not mind having to borrow money or being very tight with money. He reported he typically borrows money from his mother. He has never received social assistance.

Mr. Smith’s main financial obligation is child support in the amount of \$250.00 per month. He is currently behind in the amount of \$4,500.00.

It should be noted that Mr. Smith reported a history of gambling. He advised that he no longer gambles, and that the most money he spent was \$400 - \$500.

 Recreation/Leisure

This section may include information on involvement in structured activities; activities outside work/school; also include any protective factors

John is currently not involved in any structured activities. He reported most of his free time is spent “hanging out” with his friends by going to the bars. They also spend time at a friend’s apartment playing video games and listening to music. John indicated he could make better use of his time and expressed an interest in going to college. He would like to be able to start his own business.

IV. VICTIM IMPACT STATEMENT

Information received from the manager of Dominick’s Grocery Store indicates no financial loss due to this incident, as the item was retrieved upon the defendant’s arrest. The store security guard suffered minor bruises and abrasions as a result of the defendant’s failure to cooperate. The guard was not seen by medical professionals and did not require any time off of work due to this incident.

V. DEFENDANT'S STATEMENT

The defendant reported that he went to Dominick's with two of his friends with the intention to steal some shrimp. He reported that he had the money in his pocket and wanted to save the money he had. He reported that on his way out of the store, after hiding the shrimp in his jacket, he was approached by a security guard. He stated that the security guard grabbed him and he pulled away. At that point, Mr. Smith indicated that the guard "tackled" him and held him until the police came. He reported that the friends he was with "got away" and that the only reason he was charged with anything was because he pulled away from the security guard.

VI. CO-DEFENDANT'S STATEMENT

The defendant was the only person arrested and charged with the commission of this offense.

VII. SUMMARY

Protective Factors

1) Level of education

Mr. Smith has a high school diploma and has expressed a desire to further his education.

2) Family involvement

Mr. Smith has close relationships with prosocial adults within his family unit.

3) Accommodations

Mr. Smith has the opportunity to remain in his current living situation with his mother, located in a lower crime area.

Risk Factors

1) Attitudes and Values

Mr. Smith's attitudes are supportive of his own criminal behavior.

He takes no responsibility for his legal problems and minimizes his behavior.

2) Aggression

Mr. Smith has exhibited an inability to appropriately manage anger as indicated by his criminal history and school records.

3) Associates/Companions

Mr. Smith's companions are supportive of pro-criminal behavior and he was with one of his friends during the commission of this offense.

4) Financial/Employment

Mr. Smith, although employable, has developed a pattern including brief periods of employment followed by periods of unemployment. He has unmet financial obligations indicated by his amount of past due child support. He currently has no employment or means of income.

□ **Targeted Interventions and Supervision Strategies/Available Resources**

1) Cognitive Behavioral Group

Moral Reconciliation Therapy (MRT) or Thinking For Change (T4C)

Participation in a cognitive behavioral group will directly address the defendant's beliefs about his criminal behavior. This will also provide the defendant with skills around consequential thinking.

2) Behavioral Health Evaluation

Skyler County Behavioral Health Center

Given the defendant's inability to appropriately manage anger, it is necessary to have a comprehensive behavioral health evaluation to determine if there are underlying causes that must be addressed.

3) Financial Planning/Employment Training

Job Training Placement Center

The services offered through the Job Training Placement Center include individual financial planning sessions as well as an assessment that identifies an appropriate career track based on the individual.

4) Continued Education

Skyler County Community College

The defendant has expressed a desire to further his education. Enrollment in college courses will assist the defendant in building on his existing education while working towards the career track identified through his involvement in the Job Training Placement Center.

Should the defendant receive a sentence including probation, the following supervision strategies would be adhered to by the probation department:

- Promote and encourage the defendant to continue residing with his mother in a lower crime area.
- Involve the defendant's family in the case planning process as appropriate to increase contact with prosocial examples.
- Build in a system of rewards for the defendant to reinforce positive changes as they occur.
- Promote and encourage involvement in community activities.
- Discontinue association with pro-criminal companions and increase contacts with pro-social companions

□ **Conclusions**

Mr. John Smith cooperated with this probation officer throughout the completion of the pre-sentence investigation report. The result of the investigation has identified both risk and protective factors specific to Mr. Smith. Should the defendant receive probation, it is imperative that the supervision process build upon the identified protective factors. These protective factors include Mr. Smith's current level of educational achievement, prosocial family ties, and available housing situated in a low-risk area. While working to increase the strength of the existing protective factors, it is also imperative that the supervision process begin addressing the identified risk factors. These risk factors include Mr. Smith's anti-social thinking, lack of consequential thinking skills, aggressive behavior, pro-criminal associates, unemployment and poor financial situation. Resources immediately available to Mr. Smith include Moral Reconciliation Therapy or Thinking For Change, Skyler County Behavioral Health Center, Job Training Placement Center, and Skyler County Community College.

Report Prepared By: Jane A. Springer, Adult Probation Officer Date: April 17, 2007

2007 REPORT

APPENDIX B:

Illinois Problem-Solving Court Inventory

2007 REPORT



ILLINOIS PROBLEM-SOLVING COURTS

June 2007

Prepared by:
The Illinois Supreme Court Conference on
Criminal Law and Probation Administration

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Circuit: First Judicial Circuit
County/Location: Saline County

Type of Problem-Solving Court: Drug Court - Adult **Implementation Data:** May 1, 2004

Problem-Solving Court Model Description: The court was developed along guidelines by the National Association of Drug Court Professionals (NADCP). Input was gathered from existing programs such as Macon County and Pike County Drug Courts. As per NADCP guidelines, the Saline County Drug Court is based on the *10 Key Components* of a drug court.

ADMINISTRATION

Goals & Objectives: The Saline County Drug Court's primary mission is to combat the growing number of methamphetamine abuses in Saline County. The court will seek to break the cycle of addiction by encouraging therapeutic intervention while at the same time holding all offenders accountable for their criminal behavior.

Policies & Procedures: The Saline County Drug Court will operate in accordance with 730 ILCS 166/1 of the Drug Court Treatment Act.

Funding: The drug court is funded through the First Circuit Probation District. An AOIC approved officer position was designated for drug court and is funded through the First Circuit Probation District budget. A local coalition, the Alliance Against Methamphetamine Abuse, Inc., provides financial assistance in providing incentives. This group is a nonprofit organization and was formed locally in support of the efforts of the Saline County Drug Court.

CASE PROCESSING

Type of Cases/Population Served: Any type of probation eligible criminal offense that pertains to possession, manufacture, and/or delivery of methamphetamine can be used to certify eligibility for drug court. Additional types of probationable criminal offenses may be considered at the discretion of the drug court team when there is some causal link between substance abuse and a defendant's criminal behavior.

Screening/Assessment: Upon referral from defense attorneys, defendants are screened via an in-house form to determine statutory eligibility. Defendants must also sign a form indicating willful, voluntary participation. Subsequent mental health and substance abuse assessments are performed by professionals in those disciplines.

Incentives/Sanctions: Incentives are issued for compliance, completion of goals, "clean day" milestones, etc. To date 94 incentives have been awarded. Sanctions are used to address non-compliant behavior including positive drug tests, failure to report, and new offenses. Sanctions include jail time, increased reporting, loss of days, and termination from the program. Nineteen sanctions have been issued to date.

Treatment Interventions: Treatment referrals for inpatient substance abuse are made to providers based on location and availability of space. Outpatient referrals are made through community public health providers. The drug court does not provide treatment but serves as a referral tool.

TRAINING

Drug court training sponsored by the National Association of Drug Court Professionals in Chicago of 2004. Attendance at locally offered methamphetamine seminars is also available.

OUTCOME/MEASURES

The program has not been assessed by an independent evaluator. In-house data collections are routinely used to assess progress and effectiveness of the program.

Circuit: Third Judicial Circuit
County/Location: Madison County

Type of Problem-Solving Court: Drug Court - Adult

Implementation Date: March 1, 1996

Problem-Solving Court Model Description: The Madison County Drug Court follows all of the guidelines from the Bureau of Justice Assistance (BJA) *10 Key Components* in establishing a drug court. The drug court model diverts drug using defendants into treatment. This approach integrates substance abuse treatment, sanctions, and incentives with case processing to place nonviolent drug-related offenders in judicially supervised rehabilitation programs.

ADMINISTRATION

Goals & Objectives: Madison County Drug Court was established to reduce drug use and the rate of recidivism within the population charged with drug-related offenses.

Policies & Procedures: YES

Funding: Funding for the drug court is provided by the County of Madison and the 708 Mental Health Board.

CASE PROCESSING

Type of Cases/Population Served: Participants must be an adult offender charged with a felony drug or drug-related offense, and have a history, and/or current problem of substance abuse.

Screening/Assessment: Assessments are completed by the local Treatment Alternative for Safe Communities (TASC) office representative.

Incentives/Sanctions: Sanctions include increased drug testing, an increase in reporting requirements, curfew, jail time and program termination. Incentives that may be rewarded are the reduction of previously imposed sanctions, decrease in court appearances, graduation from the program, and the dismissal of charges.

Treatment Interventions: Treatment is provided by Chestnut Health Systems. Residential referrals are performed by licensed agencies throughout the state.

TRAINING

Madison County drug court team members will attend national and statewide drug court conferences.

OUTCOME/MEASURES

To date, there have not been any outcome measures developed for the evaluation of the adult drug court program.

Circuit: Third Judicial Circuit
County/Location: Madison County

Type of Problem-Solving Court: Mental Health Court

Implementation Date: October 1, 2007

Problem-Solving Court Model Description: Madison County Mental Health Court was developed to meet the needs of the high number of persons suffering from mental illness who appeared before the court repeatedly. Madison County examined a variety of Mental Health Courts from around the country and state, studied guidelines from the consensus Project, assessed the county's resources and process, and designed a program to accommodate the mentally ill.

ADMINISTRATION

Goals and Objectives: Prevent the mentally ill from being incarcerated and released without mental health service follow-up and for the mentally ill to adequately manage their mental illness. And to reduce criminal activity of the untreated mentally ill.

Policies & Procedures: No

Funding: Funding for the Mental Health Court is provided by the County Board and the 708 Mental Health Board.

CASE PROCESSING

Type of Case/Population Served: Participants must have no prior violent convictions. The mental health court accepts adult misdemeanor cases only. Will not accept persons with mental retardation, persons with a mental illness as a result of brain injuries, not domestic battery offenses. Referrals from police departments, judges, attorneys, treatment providers, other social agencies, defendants, their families, and significant others.

Screening/Assessment: Mental Health Assessment Specialist conducts an in-person assessment of the defendants. Assessments include the "Brief Jail Mental Health Screen." Also, collaborative information is obtained from significant others and the treatment providers.

Incentives/Sanctions: Yes the program is mostly incentive-based, with some occasional warnings if needed from the Judge.

Treatment Interventions: Mental health treatment is provided primarily by Chestnut Health Systems, Inc. and the Community Counseling Center. Psychiatric hospital services are primarily provided by Gateway Regional Medical Center and Alton Mental Health Center.

TRAINING

All staff involved has extensive and ongoing training in their respective roles. All had sensitivity training by the National Alliance for the Mentally Ill (NAMI).

OUTCOME/MEASURES

To date, there have not been any outcome measures developed for the evaluation of the Mental Health Court program.

Circuit: Fourth Judicial Circuit
County/Location: Effingham County

Type of Problem-Solving Court: Drug Court - Adult

Implementation Date: April 28, 2006

Problem-Solving Court Model Description: The model for Effingham County Drug Court was adopted from the drug court model of the Bureau of Justice Assistance (BJA). Effingham County's Drug Court utilizes a non-adversarial approach when treating drug abusers. The court's program model is that of diverting drug defendants into treatment. This approach integrates substance abuse treatment, sanctions, and incentives with case processing to place nonviolent drug-related offenders into judicially supervised habilitation programs.

ADMINISTRATION

Goals & Objectives: The mission of Effingham County Drug Court is to restore wholeness to lives shattered by substance abuse, to reduce recidivism through therapeutic intervention, to hold the offenders accountable for their criminal behavior, and to make the public safer by reducing drug-related crimes.

Policies & Procedures: The Effingham County Drug Court will operate in accordance with 730 ILCS/1 of the Drug Court Treatment Act.

Funding: The drug court is funded through probation fees. Effective 10/2/06, a mandatory \$5.00 fee will be assessed to defendants found guilty or granted supervision in Effingham County. The court also formed a nonprofit organization that will promote the program and manage any donations that may be received.

CASE PROCESSING

Type of Cases/Population Served: Participants must meet the following criteria: must be a nonviolent offender at least 18 years of age, there needs to be a presence of a chemical dependency or addiction, must be a resident of Effingham County, and there has to be a willingness to participate in the drug court program.

Screening/Assessment: An initial screening is conducted by the drug court officer to determine a defendant's eligibility for the program. Those found eligible are then assessed by Treatment Alternative for Safe Communities (TASC) to determine if a relationship exists between the crime committed and the addiction.

Incentives/Sanctions: Sanctions imposed include, but are not limited to, curfew restrictions, electronic monitoring, increased reporting, shock incarceration, increased drug testing, increased level of treatment, courtroom detention, and termination from the drug court program. Incentives that are awarded may include, but are not limited to, a reduction in previously imposed sanctions, praise from the team, decreased court appearances, decreased levels of supervision, and graduation from the drug court program.

Treatment Interventions: Treatment Readiness groups are conducted by TASC. Outpatient treatment is provided through the Discovery To Recovery (DTR) program operated out of the probation department. If inpatient services are required, referral arrangements are made by TASC.

TRAINING

The drug court team attends educational training regarding drug court process. Conversations have been held with numerous other counties regarding their drug court programs. The team also plans on attending the IADCP Conference.

OUTCOME/MEASURES

Specific outcome measures have not yet been developed, but offender statistics are being compiled.

Circuit: Fifth Judicial Circuit
County/Location: Coles County

Type of Problem-Solving Court: Drug Court - Adult

Implementation Date: October 2004

Problem-Solving Court Model Description: The model of the Coles County Drug Court Program is broken into three tracks. Track 1 is a pre-plea deferral with a stipulation as to the evidence in the prosecutor's case. Track 2 is a post plea/admission of guilt with the sentencing deferred while participating in the program. Track 3 is a post conviction sentence to probation with a special condition that the offender must participate in the program. The length of the program will be one to three years, depending on the extent of process made by the participant. Duration will include a three to seven months' expectation of treatment involvement and ongoing aftercare provided by treatment and/or probation as deemed appropriate in each case.

ADMINISTRATION

Goals & Objectives: The Coles County Drug Court was established to reduce the rate of recidivism and break the cycle of drug use for those participating in the program.

Policies & Procedures: YES

Funding: The Coles County Drug Court is funded by the county.

CASE PROCESSING

Type of Cases/Population Served: Participants must meet the following criteria: be charged with a felony offense; demonstrate a substance abuse problem, be a resident of Coles County, received basic information about the Coles County Drug Court Program; and be interested in entering the program.

Screening/Assessment: Treatment Alternative for Safe Communities (TASC) is responsible for performing the clinical assessments of all clients of the drug court.

Incentives/Sanctions: The drug court program utilizes graduated sanctions, which include: verbal warnings and admonishments; increased frequency of drug testing and pretrial reporting requirements; demotion to earlier program phases; curfew; day detention at a day reporting center; home confinement; jail time; or program termination. The court also incorporates the use of incentives, which include: encouragement/praise from the judge; decreased frequency of court appearances; reduction in assigned public service hours; reduction in the term of supervision; reduction in program fees; a graduation ceremony; and the dismissal of criminal charges.

Treatment Interventions: The Central East Alcoholism and Drug Council (CEAD) and the Drug Court Case Manager (DCCM) determines which outside treatment programs are appropriate treatment alternatives.

TRAINING

Specialized training has been given to all Coles County Drug Court Program personnel.

OUTCOME/MEASURES

To date, there have not been any outcome measures developed for the evaluation of the drug court program.

Circuit: Fifth Judicial Circuit
County/Location: Vermilion County

Type of Problem-Solving Court: Drug Court - Adult

Implementation Date: November 2001

Problem-Solving Court Model Description: The Vermilion County Drug Court was modeled after the Champaign County Drug Court Program, which is a post-conviction program not a diversion program. The participants have pleaded guilty and are sentenced to the program after the pre-sentence investigation and a substance abuse assessment have been completed, and it has been determined these individuals have a serious substance abuse problem.

ADMINISTRATION

Goals & Objectives: The goals of the Vermilion County Drug Court are to offer alternative sentencing options for nonviolent, drug-involved offenders, to help reduce recidivism among offenders, and to reduce backlog and jail overcrowding.

Policies & Procedures: YES

Funding: The drug court is funded by Vermilion County's budget and the 708 Board.

CASE PROCESSING

Type of Cases/Population Served: Participants must meet the following criteria: a nonviolent adult offender charged with a felony, who has been diagnosed as drug dependent or a drug abuser, the offender must reside in Vermilion County, and express a willingness to participate in treatment and comply with treatment recommendation.

Screening/Assessment: Assessments are completed using the modified American Society of Addiction Medicine (ASAM) Patient Placement Criteria (PPC).

Incentives/Sanctions: Sanctions imposed include curfew restrictions, electronic monitoring, increased supervision, increased drug testing, demotion in phase, community service, writing assignments, and jail time. Incentives that are awarded may include praise from the court, reduction in fines, reduction in court appearances, promotion to the next phase, and graduation.

Treatment Interventions: Vermilion County uses the Prairie Center for treatment interventions.

TRAINING

The Department of Justice supplied a federal grant that funded the initial training for the drug court. There presently is no money available for ongoing training.

OUTCOME/MEASURES

A service provider evaluates the drug court program on an annual basis.

Circuit: Sixth Judicial Circuit
County/Location: Champaign County

Type of Problem-Solving Court: Drug Court - Adult

Implementation Date: March 1999

Problem-Solving Court Model Description: The Champaign County Drug Court program is a post conviction program only. The participants have pleaded guilty and are sentenced to the program after a Pre-Sentenced Investigation and a substance abuse assessment have been completed, and it has been determined these individuals have a serious substance abuse problem.

ADMINISTRATION

Goals & Objectives: The Champaign County Drug Court was established to alleviate drug use within the drug population; to reduce participants' rate of recidivism, to reduce court work loads, find employment for drug court participants and graduates; teach corrective thinking to encourage participants to make better choices in their lives; bring families together; and to make productive law-abiding citizens from people that chose a criminal lifestyle in the past.

Polices & Procedures: YES

Funding: Champaign County funds the drug court. Urinalysis are funded by probation service fees.

CASE PROCESSING

Type of Cases/Population Served: Participants must: be a serious substance abuser; be sentenced to probation for a felony; be sentenced at an open sentencing hearing with a pre-sentence report being completed; have an evaluation performed by Treatment Alternatives for Safe Communities (TASC); and be a resident of Champaign County.

Screening/Assessment: Assessments are completed by the local TASC office representative.

Incentives/Sanctions: Sanctions imposed include, public safety work, writing an essay, increased treatment level, home monitoring or jail time. Incentives include a day off from drug court and recognition from the judge. Sanctions and incentives are discussed in a weekly drug court team meeting. The judge makes the final decision as to what incentive or sanction will be imposed.

Treatment Interventions: The type of treatment/programming provided is: long-term residential treatment, intensive outpatient, outpatient, and extended care options. The Prairie Center for Substance Abuse conducts the ongoing treatment/programming and counseling. These resources have been utilized since the inception of the program and have been adequate for the needs of the community.

TRAINING

The drug court team attends national, statewide, or local training and/or conferences that are available and conducive to their schedules. Information concerning any future training or conferences are received and shared with other team members.

OUTCOME/MEASURES

There are currently no measures identified to assess the efficacy of the drug court. To date, there have been no outcome measures for the evaluation of the drug court program. However, a drug court coordinator was hired in March 2006 and is developing a process to evaluate the program and outcome measures will be a part of the coordinator's responsibility.

Circuit: Sixth Judicial Circuit
County/Location: Macon County

Type of Problem-Solving Court: Drug Court - Adult

Implementation Date: October 1998

Problem-Solving Court Model Description: The Macon County Drug Court program utilizes a non-adversarial model which curtails the time delay between arrest and the start of drug treatment. The Macon County Drug Court was modeled after the Dade County, Florida Drug Court, that developed a model program for diverting drug defendants into treatment. This approach integrates substance abuse treatment, sanctions, and incentives with case processing to place nonviolent drug-related offenders in judicially supervised habilitation programs (U.S. Dept. of Justice, Drug Court, 1998).

ADMINISTRATION

Goals & Objectives: The main goals of the Macon County Drug Court are to reduce future criminal behavior or recidivism, to break the cycle of drug use and crime, and to reduce the drug usage of participants involved with the drug court.

Policies/Procedures: YES

Funding: Macon County Probation Services funds the program from its own budget. Grant funding ended during the fiscal year 2000.

CASE PROCESSING

Type of Cases/Population Served: Participants must meet the following criteria: been charged with a nonviolent felony offense; have a chemical dependency; be a resident of Macon County; demonstrate a willingness to participate in a treatment program; not have any significant gang involvement; not have a pending charge that would make him/her ineligible for the drug court program; and have not previously participated in the Macon County Drug Court program or any similar program in any other jurisdiction.

Screening/Assessment: Currently, Macon County is exploring the use of LSI-R on all drug court admissions, along with main streaming drug court admissions through the Investigative Intake Unit. Chestnut Health Systems is currently using the GAIN-I or a DC Placement Screening. Macon County probation conducts a criminal history analysis on all referrals before possible admission to the program.

Incentives/Sanctions: The drug court program utilizes graduated sanctions, which include: verbal warnings and admonishments; increased frequency of drug testing and pretrial reporting requirements; demotion to earlier program phases; curfew; day detention at a day reporting center; home confinement; jail time; or program termination. The court also incorporates the use of incentives, which include: encouragement/praise from the judge; decreased frequency of court appearances; reduction in assigned public service hours; reduction in the term of supervision; reduction in program fees; graduation ceremony; and the dismissal of criminal charges.

Treatment Interventions: Substance abuse treatment, combined with community supervision is being provided to participants in the Macon County Drug Court. Currently, this program has on-site substance abuse treatment providers for contractual services. Referrals to other community human service agencies are utilized when deemed necessary (i.e., mental health, sexual abuse, or domestic abuse).

TRAINING

Training obtained by the drug court team includes travel to other counties to observe drug court programs, LSI-R assessment training, moral recognition therapy, restorative justice, and in-service training with Ellie Ludvigsen, private consultant for Creative Pathways Consulting based in Castle Rock, Colorado.

OUTCOME/MEASURES

Correctional Counseling Institute conducted a Process and Output Evaluation of the Macon County Drug Court program in June 2000. Other internal measures have been conducted over the years with tracking the successful and unsuccessful numbers, Ellie Ludvigsen observations of staffing and court reviews, but no such report has formally been written.

Circuit: Seventh Judicial Circuit
County/Location: Jersey County

Type of Problem-Solving Court: Drug Court - Adult

Implementation Date: December 18, 2002

Problem-Solving Court Model Description: The model adopted for Jersey County Drug Court was formulated by the planning team after attending the National Drug Court Planning Initiative Workshop. The National Criminal Justice Reference Service (NCJRS) collaborated with the Drug Court Program Office (DCPO) and the National Drug Court Institute (NDCI) to offer a course on planning fundamentals and implementing drug courts. The model's structure is programmed to defer judgment and vacate the case once successful completion is obtained. The client pleads guilty but is not sentenced.

ADMINISTRATION

Goals & Objectives: The Jersey County Drug Court mission is to restore wholeness to lives shattered by substance abuse, by eliminating drug dependency of the client through a process of timely and intensive treatment, supervision, and court imposed sanctions and rewards by effectively addressing the client's related psychological, social, vocational, and family issues.

Policies & Procedures: YES

Funding: Funding is accomplished through the use of probation fees. Grants were only received for the original training.

CASE PROCESSING

Type of Cases/Populations Served: Any type of offense that deals with the possession, purchase, or manufacturing of drugs. Candidates are at least 17 years old, living in Jersey County, and arrested for a felony. Drug abusers are accepted into the court if restitution is recoverable. Non-drug cases motivated by drug abuse and probation felony revocation cases who meet the original criteria are also admissible.

Screening/Assessment: Assessments are done in three parts. First is the legal assessment, it determines if a participant legally qualifies as a client for the drug court. Legal assessments are performed by the probation department. Second, is the clinical assessment, performed by Treatment Alternatives for Safe Communities (TASC), the assessment determines if a potential client has a substance abuse problem. Lastly, a bio-psycho-social assessment is completed at the Wells Center. This assessment is to determine the mental status of the client, if there are any social or psychological symptoms, clinical or personality disorders, medical conditions, or environmental issues that contribute to the client's usage of drugs.

Incentives/Sanctions: There are a wide variety of incentives and sanctions that can be imposed on a client. However, the most used sanction is jail time and the most used incentive is gas or food vouchers.

Treatment Interventions: Intense and coerced treatment is given. Phase I requires six hours of treatment a week. Phase II requires 4 hours of treatment per week. Phase III requires two hours of treatment per week. Phase IV is aftercare, and treatment is given as needed. One certified counselor is a drug court probation officer. The other counselor is from the Wells Center. Together, treatment programming is adequate.

TRAINING

Originally, the planning team attended National Drug Court Workshops in San Francisco, Pensacola, and San Diego. Since then, ongoing training has been received by attending the Annual Illinois Association of Drug Court Professionals Conference held in Tinley Park, Illinois.

OUTCOME/MEASURES

Checking arrest records on clients after graduation from drug court is the only measurable outcome utilized. Efficacy is measured by percentage ratio, achieving a 30% success rate is the desired attainable result. Currently, re-offending for graduated clients is at the 50% ratio level.

Circuit: Seventh Judicial Circuit
County/Location: Morgan County

Type of Problem-Solving Court: Drug Court - Adult

Implementation Date: June 2005

Problem-Solving Court Model Description: The Morgan County Drug Court was modeled after the Rock Island County Drug Court, which consists of post-conviction tracks. Track one clients are those who have had sentencing withheld pending participation in the drug court. If successful, the plea can be vacated and the charge dismissed. If unsuccessful, sentencing will be imposed. Track two clients are those whose primary issues surround addiction, are already on probation, and face a petition to revoke.

ADMINISTRATION

Goals & Objectives: To aid in providing a safe and productive community by reducing drug usage and antisocial behavior related to drug usage, to aide individuals in leading drug-free lifestyles, and assist them in developing skills that will encourage pro-social behavior in the areas of personnel, family, and community settings.

Policies & Procedures: The Morgan County Drug Court operates in accordance with 730 ILCS 166 of the Drug Court Treatment Act.

Funding: Funding is provided through probation service fees.

CASE PROCESSING

Type of Cases/Population Served: Participants must meet the following criteria: a resident of Morgan County and charged with a felony offense; cannot have a history of violence or drug dealing; admit their addiction to drugs; demonstrate a willingness to participate in a treatment program; and could not have previously participated in a drug court program.

Screening/Assessment: Treatment Alternatives for Safe Communities (TASC) will determine whether a candidate is eligible for participation in drug court.

Incentives/Sanctions: Sanctions include: admonishment from the team; reading/written assignments; curfew; public service employment (PSE); electronic monitoring; shock incarceration; increased reporting; increased urinalysis testing; increased level of treatment care; courtroom detention; and termination. Incentives include: praise from the team; reduction in previously imposed sanctions; reduction of length of supervision; decreased court appearances; reduction of fines and fees; dismissal of criminal charges; and a graduation ceremony.

Treatment Interventions: Morgan County Drug Court utilizes the services of the Wells Center and Recovery Resources to treat substance abusing participants in the program.

TRAINING

The drug court team attends an annual drug court conference in Tinley Park, Illinois. The drug court team also attended observational days at the drug courts in Rock Island, Pike, and Jersey counties.

OUTCOME/MEASURES

To date, there have not been any outcome measures developed for the evaluation of the drug court program.

Circuit: Eighth Judicial Circuit
County/Location: Adams County

Type of Problem-Solving Court: Drug Court - Adult

Implementation Date: July 11, 2006

Problem-Solving Court Model Description: The Adams County Drug Court was established under the national model for drug courts. The model is designed for adult felony cases that meet program eligibility requirements. It is primarily a “post-adjudicatory” drug court, but may serve “pre-adjudicatory” cases as deemed appropriate.

ADMINISTRATION

Goals & Objectives: The Adams County Drug Court has been developed to reduce drug usage, to reduce recidivism, and to produce positive citizens.

Policies & Procedures: The Adams County Drug Court operates in accordance with 730 ILCS 166, Drug Court Treatment Act.

Funding: Adams County funds the drug court.

CASE PROCESSING

Type of Cases/Population Served: Participants must meet the following criteria: be charged with a felony drug offense; should be a high intensity drug-user and an admitted drug abuser; cannot be convicted of a crime of violence within the last 10 years; demonstrate a willingness to participate in a treatment program; and should not have previously completed or been discharged from a drug court program.

Screening/Assessment: Treatment Alternatives for Safer Communities (TASC) will assess each candidate and determine whether a candidate meets eligibility requirements for the drug court. Typically, a referral to Recovery Resources is required for those diagnoses that meets the criteria for substance abuse or dependency. A primary diagnosis of a mental health issue is required for referral to Transitions.

Incentives/Sanctions: Sanctions may include: verbal admonishment/warning; increased supervision; increased drug/alcohol testing; curfew restrictions; home confinement; increased fees; increased court appearances; electronic monitoring; short term jail sentence; or termination from the drug court. Incentives may include: verbal praise; decreased drug/alcohol testing; decreased time in a phase; fewer court appearances; fee reduction; reduction/removal of earlier sanctions; appropriate gift certificates/coupons; and graduation from drug court.

Treatment Interventions: Counseling, consultation, and case management services are provided to drug court participants by an Illinois Division of Alcohol and Substance Abuse (DASA) licensed provider. In most instances, this provider will be Great River Recovery Resources, Inc. and the Family Resource Center. The goal of “treatment” is for the drug court program participant to achieve 12 continuous months of abstinence and sobriety from all mind-altering substances.

TRAINING

All drug officers and drug court team members, excluding the judge, have had extensive training regarding drug courts.

OUTCOME/MEASURES

As part of the Evidence-Based Practices Initiative, the department will define data elements for statistical analysis of the drug court program.

Circuit: Eighth Judicial Circuit
County/Location: Pike County

Type of Problem-Solving Court: Drug Court - Adult

Implementation Date: August 2003

Problem-Solving Court Model Description: The Pike County Drug Court utilizes a two-track model when serving potential clients. Track one is a pre-plea referral made by the Pike County State's Attorney's Office who will determine eligibility upon consultation with the drug court officer (DCO). The DCO will interview the defendant being held on charges that involve the use of drugs. If a defendant appears to have a drug abuse problem and is willing to participate in further assessments and recommended treatment, the case will be referred for consideration into the drug court. Track two, or referral for post-plea cases, can be made upon motion of the state's attorney upon approval of the DCO. All referrals must have the concurrence of both the state's attorney and the drug court judge to be accepted into the drug court program.

ADMINISTRATION

Goals & Objectives: The Pike County Drug Court was established to restore wholeness to lives shattered by substance abuse, reduce recidivism through therapeutic intervention, hold the offenders accountable for their criminal behavior, and make the public safer by reducing drug-related crimes.

Policies & Procedures: The Pike County Drug Court will operate in accordance with 730 ILCS 166 of the Drug Court Treatment Act.

Funding: Funding is provided through Pike County probation service fees.

CASE PROCESSING

Type of Cases/Population Served: Participants must meet the following criteria: any drug offense qualifying for probation; cannot have any prior violent convictions; be a resident of Pike County; have an addiction or chemical dependency; there has to be a relationship between drugs and criminality; and candidates' willingness to participate in the drug court program.

Screening/Assessment: Treatment Alternatives for Safer Communities (TASC) will assess each candidate to determine participants' eligibility into drug court.

Incentives/Sanctions: Sanctions can include: admonishment from the drug court team; curfew; electronic monitoring; shock incarceration; increased reporting; increased drug testing; increased level of treatment; or termination from the program. Incentives may include: praise from the team; reduction in previously imposed sanctions; tokens of progress; decreased court appearances; decreased levels of supervision; and graduation.

Treatment Interventions: The Wells Center, located in Jacksonville, Illinois provides outpatient and inpatient services. There is a counselor onsite two days per week. There is also a local counseling center that provides outpatient, mental health, group, and individual treatment services to the community.

TRAINING

All drug court team members have attended the Illinois Drug Court Conference in Tinley Park, Illinois. The drug court judges have also received additional training in Reno, Nevada. Ongoing training is provided as needed.

OUTCOME/MEASURES

To date, there have not been any outcome measures developed for the evaluation of the drug court program.

Circuit: Tenth Judicial Circuit
County/Location: Peoria County

Type of Problem-Solving Court: Drug Court - Adult

Implementation Date: December 15, 1997

Problem-Solving Court Model Description: Peoria County Drug Court is an intensive, post-plea, judicially case-managed, treatment-based approach to treat drug dependent adults with their addiction.

ADMINISTRATION

Goals & Objectives: Peoria County's Adult Drug Court was established to decrease crime by reducing drug use and recidivism on the part of the drug offenders and to reduce stress on the county's criminal justice system collaboratively, by increasing the efficiency and effectiveness of adjudicating and treating drug offenders.

Policies & Procedures: YES

Funding: Treatment services are paid for through probation service funds.

CASE PROCESSING

Type of Cases/Population Served: Participants must meet the following criteria: be a Peoria County resident; have no prior violent conviction; no Class 1 or greater prior conviction; no more than two (2) prior TASC treatment episodes; all pending cases disposed of; there needs to be a relationship between the drug usage and criminality; and the candidate must demonstrate a willingness to participate in the Peoria County Drug Court program.

Screening/Assessment: Initial/referral assessments consistent with American Society of Addiction Medicine standards and guidelines.

Incentives/Sanctions: Sanctions may include: admonishment from the court; curfews; writing assignments; an increased level of supervision; travel restrictions; electronic monitoring; public service hours; shock incarceration; or jail.

Treatment Interventions: Treatment options include 6-9 months in long-term residential (CITCA) treatment; 90-day residential treatment; Intensive Outpatient Program (IOP); Continuing Outpatient Care; and Halfway House recovery phase placement.

TRAINING

Prior to the beginning of the operation of the drug court, representatives went to national drug court meetings/training. Since the beginning, team members have been involved both as trainees and trainers at state level meetings/training on drug courts.

OUTCOME/MEASURES

The Center for Legal Studies, University of Illinois at Springfield's team of evaluators conducted the evaluation of the drug court program and cited that the Peoria County Drug Court has achieved its goals and objectives.

Circuit: Tenth Judicial Circuit
County/Location: Peoria County

Type of Problem-Solving Court: Drug Court - Juvenile

Implementation Date: April 2001

Problem-Solving Court Model Description: Peoria County's Juvenile Drug Court is a modification from the Adult Drug Court design in Peoria County. The juvenile drug court is an intensive, post-plea, judicially case-managed, treatment-based approach to treat drug-dependent adolescents with their addiction.

ADMINISTRATION

Goals & Objectives: The overall goal for Peoria County Juvenile Drug Court is to improve the prospects for the lives of identified juveniles who have substance abuse problems contributing to their delinquency.

Policies & Procedures: YES

Funding: Treatment costs have been annualized in the state budget.

CASE PROCESSING

Type of Cases/Population Served: Participants must be: younger than 17; a resident of Peoria County with no prior violent offense(s); screened as having a substance abuse disorder; and be willing participants in the drug court program. Excluded are sex-offenders or seriously violent juveniles.

Screening/Assessment: Assessments are completed by the Human Service Center of White Oaks.

Incentives/Sanctions: Sanctions may include: admonishment from the Court; curfews; writing assignments; an increased level of supervision; travel restrictions; electronic monitoring; public service hours; shock incarceration; or jail.

Treatment Interventions: White Oaks is the treatment provider for juveniles in Peoria County.

TRAINING

The treatment providers in Peoria County received training as required for their certification.

OUTCOME/MEASURES

The team meets quarterly to discuss and informally evaluate both process and outcome measures, including number of screened, admitted, served, and nature/condition of discharge (successful or unsuccessful).

Circuit: Tenth Judicial Circuit
County/Location: Peoria County

Type of Problem-Solving Court: Domestic Violence Court

Implementation Date: July 1, 2004

Problem-Solving Court Model Description: The Peoria County Domestic Violence Court has been patterned after the Family Justice Center's model. This model is a coordinated response to domestic violence. All the components are present at the table to create one overall protocol and an efficient way to handle those that are either victims or abusers of domestic violence. There is a tracking system put in place to measure the outcomes of each component. If circumstances develop into system problems, the group addresses these as well.

ADMINISTRATION

Goals & Objectives: The Peoria County Domestic Violence Court was developed to improve jurisdictional response to victims of domestic violence, build a multi-disciplinary team that will track all domestic violence cases through the system, and hold the abuser accountable for their actions.

Policies & Procedures: YES

Funding: Funds were provided through an Illinois Criminal Justice Information Authority (ICJIA) grant.

CASE PROCESSING

Type of Cases/Population Served: All domestic violence and domestic violence related offenses are required to take part in the domestic violence programs. Some offenders charged with a felony or misdemeanor may have to participate in the program to meet court orders.

Screening/Assessment: The Peoria County Domestic Violence Court utilizes the Lethality Assessment Instrument to assess potential clients.

Incentives/Sanctions: Sanctions may include: admonishment from the court; curfews; writing assignments; increased level of supervision; travel restrictions; electronic monitoring; public service hours; shock incarceration; or jail.

Treatment Interventions: Treatment is provided through the Center for The Prevention of Abuse. This is the only approved Domestic Violence Battery Program in the area. The Center is funded through grants and fundraisers. There are fees added to assist the cost of the program paid by the defendant.

TRAINING

The Peoria County Domestic Violence team is required to attend 40 hours of domestic violence training. Monthly cross-training is conducted with all participating counties.

OUTCOME/MEASURES

To date, there have not been any outcome measures developed for the evaluation of the domestic violence court program.

Circuit: Eleventh Judicial Circuit
County/Location: McLean County

Type of Problem-Solving Court: Drug Court - Adult

Implementation Date: August 31, 2006

Problem-Solving Court Model Description: Drug court sessions are held once each week in the courtroom occupied by the judge assigned to the McLean County Drug Court. Participants are notified in advance when they are required to appear. Failure to appear when required may result in the issuance of an arrest warrant. Appearances in court by drug court participants will vary in frequency based upon participants' classification in Phase I, II, or III of the program. The manner in which the cases are processed during each session remains solely within the discretion of the drug court judge.

ADMINISTRATION

Goals & Objectives: To enhance the quality of life in McLean County by reducing the criminal behavior and substance abuse between drug court participants and their families through a cost-effective collaboration of legal, clinical, and community resources.

Policies & Procedures: YES

Funding: McLean County funds the drug court.

CASE PROCESSING

Type of Cases/Population Served: Participants must meet the following criteria: be a nonviolent offender who has been diagnosed as drug dependent or addicted; be charged with a felony and may have prior felony convictions; be an adult offender that resides in McLean County; and express a willingness to participate in treatment and comply with treatment recommendations. Also, targeted are the homeless, unemployed, and undereducated.

Screening/Assessment: Treatment staff will conduct a bio psycho social assessment which will generally include the administration of an instrument entitled Global Appraisal of Individual Needs-Initial (GAIN-I).

Incentives/Sanctions: Sanctions imposed include curfew restrictions, increased supervision, increased drug testing, demotion in phase, community service, writing assignments, and jail. Incentives that are awarded may include praise from the court, reduction in fines, promotion to the next phase, coupons, bus tokens, and raffles.

Treatment Interventions: Treatment is provided by Chestnut Health Systems.

TRAINING

The drug court team attended three 3-day nationwide educational training sessions. The drug court coordinator and supervisor attend one 5-day national training regarding drug court process.

OUTCOME/MEASURES

To date, there have not been any outcome measures developed for the evaluation of the drug court program.

Circuit: Twelfth Judicial Circuit
County/Location: Will County

Type of Problem-Solving Court: Drug Court - Adult

Implementation Date: December 1999

Problem-Solving Court Model Description: The Will County Drug Court uses a multi-disciplinary team approach to drug treatment. The Court utilizes the drug court team to provide review and oversight with swift and effective consequences for violating the rules and for establishing incentives and rewards for positive behavior. Treatment uses a graduated model with frequent drug testing and monitoring. The focus of the Will County Drug Court is to change the behavior and to reduce or eliminate the cycle of drug abuse and recidivism.

ADMINISTRATION

Goals & Objectives: The goals of the Will County Adult Drug Court are to reduce substance abuse and the criminal behavior associated with that abuse, improve public safety, and reduce the costs associated with the cycle of criminal behavior (convictions, jail time, DOC commitments).

Policies & Procedures: YES

Funding: Will County currently pays the annual cost for the drug court operations. In addition, the drug court coordinator is seeking various grants to sustain the court.

CASE PROCESSING

Type of Cases/Population Served: Participants must meet the following criteria: be charged with a misdemeanor/felony offense with a history of fewer than 3 felony convictions over the last 10 years; no pending DUI charges; no charges of violence; a resident of Will County; be at least 17 years old; need for treatment for use or abuse of an illicit drug; and have a willingness to participate and accept the guidelines of the drug court contract.

Screening/Assessment: Candidates for the drug court are identified by the public defender, state's attorney, law enforcement agencies, and a local program known as the Center for Correctional Concerns. The potential participant is screened by probation for prior criminal activity and an assessment is completed by the Will County Health Department within 48 hours of the referral. These assessments determine the need for substance abuse treatment and level of care needed. TASC also identifies appropriate treatment resources available and facilitates placement if the defendant is accepted into the drug court.

Incentives/Sanctions: Incentives used for drug court participants include praise and acknowledgment from the judge in open court, a move to the next phase (a reduction in reporting to probation and the Court), which includes a certificate of achievement and a picture with the judge. Also, upon graduation, the participant receives a plaque and the criminal charges are *nole prosequi*. Sanctions that are used include incarceration, an increase in the number of support group meetings, public service work, and an increase in court appearances.

Treatment Interventions: Inpatient treatment is provided through Federal Division of Alcohol and Substance Abuse (DASA) funds. Halfway houses are through local funds (Will County), and three-quarter houses and outpatient services are self pay. We utilize residential, halfway housing and three-quarter housing throughout northern Illinois. We utilize several local treatment facilities and feel that they are adequate, but there is a need for additional facilities.

TRAINING

The drug court team attended several drug court planning workshops prior to the implementation of the drug court. These trainings were sponsored by the U.S. Department of Justice. Ongoing training is provided and attended by members of the drug court team. There are local trainings as well as the National Association of Drug Court Professionals annual seminar.

OUTCOME/MEASURES

The outcome evaluation of the Will County Drug Court is based on the data registered in the Buffalo System and the information provided by the current drug court coordinator.

Circuit: Twelfth Judicial Circuit
County/Location: Will County

Type of Problem-Solving Court: Drug Court - Juvenile

Implementation Date: April 1, 2002

Problem-Solving Court Model Description: The Will County Juvenile Drug Court was modeled after the Will County Adult Drug Court Program and the Peoria County Juvenile Drug Court. Will County's Juvenile Drug Court is a court-supervised, comprehensive treatment program for nonviolent offenders and their families. This program was developed to help reduce substance abuse, criminal behavior, and recidivism by regular court appearances before the juvenile judge and ongoing drug treatment.

ADMINISTRATION

Goals & Objectives: The Will County Juvenile Drug Court was established to assist and empower individuals and families by providing comprehensive services to promote wellness, responsibility, and accountability thereby reducing drug use and improving community safety.

Policies & Procedures: YES

Funding: All costs for the juvenile drug court are absorbed by the County of Will, donations have been received from private businesses.

CASE PROCESSING

Type of Cases/Population Served: Participants must meet the following criteria: a juvenile should be charged with a drug related crime or they must have a drug problem that has been reported to the court. Candidates also must be between the ages of sixteen and eighteen and volunteer to participate in the program. Juveniles charged with forcible felonies or felony crimes of violence are not accepted into the program.

Screening/Assessment: Participants who demonstrate any escalation in behavior or drug use are subject to immediate revision of their treatment program (e.g., drug court contract extension, various sanctions, or juvenile detention and reevaluation of treatment needs). Monthly staffings are conducted to ensure progress of participants.

Incentives/Sanctions: Sanctions include: writing an essay on a topic chosen by the judge; more frequent meetings with the probation officer; more frequent drug testing; earlier curfew; extended time in the program; additional hours of public service work; home confinement; incarceration; and termination from the drug court program.

Treatment Interventions: Treatment is based on level of need and ranges from inpatient to basic outpatient. Treatment for the minor is currently funded by DASA (Division of Alcohol and Substance Abuse). The Will County Health Department currently provides outpatient services, while the probation department monitors the juvenile's progress within all levels of treatment.

TRAINING

Will County's Drug Court Probation Officer attends the Annual Illinois Association of Drug Court Professionals Conference when available.

OUTCOME/MEASURES

To date, there have not been any outcome measures developed for the evaluation of the juvenile drug court program.

Circuit: Fourteenth Judicial Circuit
County/Location: Rock Island County

Type of Problem-Solving Court: Drug Court - Adult

Implementation Date: July 31, 2000

Problem-Solving Court Model Description: Rock Island County Drug Court has two tracks, both of which are post-plea. Track one clients are those who have had sentencing withheld pending participation in the drug court. If successful, the plea can be vacated, withdrawn, and the charges dismissed. If unsuccessful, sentencing will be imposed. Track two clients are those whose primary issues surround addiction and are already on probation and face a petition to revoke or have served previous felony probation.

ADMINISTRATION

Goals & Objectives: The Rock Island Drug Court's primary mission is the reduction of recidivism and drug usage among nonviolent adult probationers in Rock Island.

Policies & Procedures: YES

Funding: Funding is provided through multiple sources.

CASE PROCESSING

Type of Cases/Population Served: Participants must meet the following criteria: have a felony conviction, be nonviolent, and reside in Rock Island County. There needs to be a relationship between the drug use and criminality, the offender cannot have a mental illness, and must show a willingness to address the substance abuse addiction.

Screening/Assessment: Treatment Alternative for Safe Communities (TASC) will determine whether a candidate is eligible for participation in drug court.

Incentives/Sanctions: Sanctions include: admonishment from the team; reading/written assignments; curfew; public service employment (PSE); electronic monitoring; shock incarceration; increased reporting; increased urinalysis testing; increased level of treatment; courtroom detention; and termination. Incentives that can be applied include: praise from the team; reduction in previously imposed sanctions; reduction of lengths of supervision; decreased court appearances; reduction of fines and fees; dismissal of criminal charges; and a graduation ceremony.

Treatment Interventions: The Rock Island County Drug Court program will use multiple treatment providers. The Robert Young Center for Community Mental Health (RYC) has a hospital-based chemical dependency program offering detoxification, assessment, inpatient, outpatient, and continuing care for Illinois clients, as well as inpatient and outpatient mental health services. The Rock Island County Council on Addictions (RICCA) is a publicly funded, not-for-profit treatment program that offers assessments, outpatient, halfway housing, and continuing care services for Illinois clients. The Center for Alcohol & Drug Services (the CENTER) is also a publicly funded, not-for-profit agency that offers assessment, residential, outpatient, methadone, halfway housing, and continuing care services for residents of Illinois and Iowa.

TRAINING

The drug court team attends Illinois drug court training, along with the National Association of Drug Court Professionals annual conferences.

OUTCOME/MEASURES

No official measures have been evaluated. The drug court team meets yearly to determine the efficacy of the drug court program.

Circuit: Fifteenth Judicial Circuit
County/Location: Lee County

Type of Problem-Solving Court: Drug Court - Adult

Implementation Date: November 11, 2005

Problem-Solving Court Model Description: The Lee County Drug Court follows all of the guidelines of the *10 Key Components* from the Bureau of Justice Assistance (BJA) in establishing a drug court. The drug court model is that of diverting drug using defendants into treatment.

ADMINISTRATION

Goals & Objectives: The Lee County Drug Court was established to break the cycle of drug use and to reduce the rate of recidivism. Goals and objectives are discussed on a continual basis.

Policies & Procedures: Policies and procedures are being developed at this time.

Funding: Federal grant opportunities and local support will be explored when the drug court has permission to become fully operational.

CASE PROCESSING

Type of Cases/Population Served: Participants must be an adult offender charged with a felony drug or drug-related offense, and have a history and/or current problem of substance abuse.

Screening/Assessment: Our program evaluators are collecting information on sanctions, incentives, clean-time, employment, Phase movement, etc.

Incentives/Sanctions: None at this time.

Treatment Interventions: Treatment service is offered at two local facilities. Lee County also utilizes the inpatient treatment service at statewide facilities. Currently treatment is paid by the offender or a sliding scale is used to assist with fees.

TRAINING

Lee County drug court team members attended the Drug Court Planning Initiative training provided by the National Drug Court Institute.

OUTCOME/MEASURES

To date, there have not been any outcome measures developed for the evaluation of the adult drug court program.

Circuit: Sixteenth Judicial Circuit
County/Location: Kane County

Type of Problem-Solving Court: Drug Court - Adult

Implementation Date: August 1, 2000

Problem-Solving Court Model Description: The Kane County Drug Rehabilitation Court (DRC) was modeled along the guidelines of the U.S. Department of Justice's *Defining Drug Courts: 10 Key Components*. The drug court model utilizes a diversionary approach which directs drug offenders away from incarceration and into treatment. This approach integrates substance abuse treatment, sanctions, and incentives with case processing to place nonviolent drug-related offenders in judicially supervised rehabilitation programs.

ADMINISTRATION

Goals & Objectives: The Kane County Drug Court was established to reduce the incidences of drug use, drug addiction, and crimes committed as a result of drug use and drug addiction.

Policies & Procedures: NO (currently being written by the drug court judge and team).

Funding: Funds have been provided through a federal grant, which will cease in 2008. Monies are also obtained through the county board.

CASE PROCESSING

Type of Cases/Population Served: Participants must meet the following criteria: the defendant must be at least 17 years of age, charged with a probationable criminal offense, the defendant must have a substance addiction, must request for themselves and show a desire to participate in the treatment, and the state's attorney and the arresting police department must approve entry into the program.

Screening/Assessment: Assessments are completed by the DRC Treatment Team.

Incentives/Sanctions: Sanctions that may be imposed are increased court appearances, performance of public service work, increased drug testing, increased reporting to probation officer, being taken into custody, or termination from the program. Incentives that are applied include praise from the team, reduction in previously imposed sanctions, reduction of drug tests, decreased court appearances, reduction of fines and fees, dismissal of criminal charges, and graduation ceremony.

Treatment Interventions: The program utilizes community-based treatment and inpatient services to provide education and treatment to participants. Structure is provided by the court's weekly review of all cases.

TRAINING

The drug court team has attended National Drug Court conferences, as well as the trainings provided by the state drug association. Field staff have received additional training through the Administrative Office of the Illinois Courts.

OUTCOME/MEASURES

An outside source conducted an evaluation of Kane County Court Services and concluded that the drug court was implemented in a manner that is moderately consistent with the *10 Key Components*.

Circuit: Sixteenth Judicial Circuit
County/Location: Kane County

Type of Problem-Solving Court: Drug Court - Juvenile

Implementation Date: February 2004

Problem-Solving Court Model Description: There were multiple model programs available for use in designing and implementing a juvenile drug court. Courts in Missoula, Montana and other districts throughout the nation were referenced in addition to both the best practices and *10 Key Components* of drug courts, as outlined by the federal government.

ADMINISTRATION

Goals & Objectives: 1) To identify clients at the earliest possible opportunity in order to refer, screen, and supervise them, while promoting client and family wellness, sobriety, and community safety. 2) To assist juvenile court services (probation) with their supervision and monitoring and to assist in finding appropriate and reliable programs designed to meet non substance abuse-related needs. 3) To provide a forum for parents and families to address and discuss their problems, challenges, and progress in a confidential and safe manner with the judge, treatment providers, and probation officers.

Policies & Procedures: YES

Funding: Funding is provided by the Bureau of Justice Administration and the Office of Juvenile Justice Programs, as well as a match from probation funds. This grant will terminate in October of 2007, at which time the court will be funded in-part by in-kind donations, as well as money from the county board.

CASE PROCESSING

Type of Cases/Population Served: Participants must: be between the ages of 14-17, but includes those that may turn 18 while enrolled in the program; be a nonviolent offender, including violent prior offenses; have been screened as having a substance abuse disorder; have no current involvement in gangs or history of gang membership; and be a willing participant with a parent, family support person, or guardian who are also willing to participate and provide support to the juvenile in the drug court program.

Screening/Assessment: The SASSI is used to screen the minors for likeliness of substance abuse, in addition to the clinical interview during which time appropriate services are assigned.

Incentives/Sanctions: Incentives and sanctions are used in response to progress and any program infractions using behavior modification techniques. A urinalysis is conducted 1-4 times per week depending on a minor's status in the court. Electronic home monitoring and other curfew restrictions are also employed to assist in monitoring participants throughout the program.

Treatment Interventions: Juveniles receive substance abuse counseling at one of two community agencies. Treatment resources are also available through probation and other community agencies, including vocational training, anger management, family counseling, and wrap around services.

TRAINING

Team members have attended both the national and state conferences of the Association of Drug Court Professionals, as well as training provided by the federal government on enhancing the effectiveness of juvenile drug courts.

OUTCOME/MEASURES

Data to be evaluated (demographics, drug use, treatment history, treatment contacts, drug screening information, etc.) are collected biannually throughout the minor's participation in drug court.

Circuit: Sixteenth Judicial Circuit
County/Location: Kane County

Type of Problem-Solving Court: Mental Health Court

Implementation Date: February 2006

Problem-Solving Court Model Description: Kane County's Mental Health Court is referred to as the *Treatment Alternative Court* (TAC). The TAC was modeled after the mental health courts of Winnebago, Cook, and DuPage counties, since they were existing mental health courts operating within the state at the time.

ADMINISTRATION

Goals & Objectives: The goals of the Kane County TAC are to increase: public safety, the quality of life for the participants in the TAC, and the participants' treatment engagement.

Policies & Procedures: YES

Funding: The TAC has been awarded a Bureau of Justice Assistance Congressionally Mandated Award that is funded from 2006 thru 2008. In the interim, Kane County will be providing funding for the program.

CASE PROCESSING

Type of Cases/Population Served: Participants must meet the following criteria: be at least 17 years of age and a resident of Kane County; be a nonviolent offender with no history of violent offenses; verification of having a mental illness; a cooccurring disorder or developmental disability; enter a guilty plea for the current charge(s); and be a willing participant and fully understand the program requirements as explained to them.

Screening/Assessment: A Personality Assessment Inventory, Substance Abuse Subtle Screening Inventory, Clinical Interview, and review of records are used to provide preliminary mental health diagnosis. In addition, a comprehensive mental health and/or behavioral health assessment, as well as a psychiatric evaluation, are completed by the defendant's assigned treatment provider prior to engaging in mental health services as part of the TAC.

Incentives/Sanctions: Incentives and sanctions are used in an effort to modify negative behavior or reinforce positive behavior. Incentives and sanctions are determined on a case-by-case basis with team discussion on the matter and are imposed incrementally, beginning with a small reward or minor sanction, and increasing with either a positive or negative progression of behavior.

Treatment Interventions: Participants receive extensive mental health treatment at one of three community-based mental health agencies. Each participant engages in daily psycho social rehabilitation programming, weekly individual therapy, monthly psychiatric consultation, weekly case management services, weekly mental illness/substance abuse (MISA) services, and weekly self-help/support services. The TAC coordinator monitors each participant and provides the necessary level of case management between the participant and the TAC team.

TRAINING

The assigned mental health court judge, the assistant state's attorney, and the director of the diagnostic center attended a 3-day training in Los Angeles in 2005 which familiarized them with the essential components of mental health courts. The TAC coordinator has attended conferences related to treatment of individuals with cooccurring disorders. In addition, the TAC team attended a 4-day cross-training in July 2006 which was developed to familiarize the team's mental health professionals with the working of the judicial system and vice-versa.

OUTCOME/MEASURES

Outcomes are measured by recidivism rates and continued engagement in mental health treatment, including continued medication compliance, abstinence from substances, and an overall increase in the quality of life.

Circuit: Seventeenth Judicial Circuit
County/Location: Winnebago County

Type of Problem-Solving Court: Drug Court - Adult

Implementation Date: October 1, 1996

Problem-Solving Court Model Description: The Winnebago County Drug Court's overall structure and functioning are consistent with the Department of Justice's best national practice model. The court has 1) a single judge who provides significant judicial leadership; 2) contracts and effective patterns of interaction with a variety of treatment providers; 3) committed probation officers, and 4) a system of sanctions and rewards.

ADMINISTRATION

Goals & Objectives: The goals of the drug court are to reduce crime, enhance public safety, rehabilitate addicted criminal offenders, relieve jail overcrowding, and reduce caseloads through a coordinated system of services and sanctions.

Policies & Procedures: YES

Funding: The total annual budget is covered through revenues generated by the 1% Public Safety Tax Fund.

CASE PROCESSING

Type of Cases/Population Served: Participants must meet the following criteria: be a nonviolent offender at least 17 years of age or older, not deny drug use or addiction to drugs, not convicted of a crime of violence within the past 10 years, not previously admitted to a drug court program, and demonstrate a willingness to participate in a treatment program.

Screening/Assessment: The local TASC representative conducts a drug and alcohol assessment to determine if the defendant is eligible for drug court consideration.

Incentives/Sanctions: Sanctions may range from: writing an essay to the judge; more frequent reporting to either a judge or probation officer; performance of public service work; submission to urinalysis; payment for treatment and drug testing; intensified outpatient treatment; jail time; serving a work-release sentence; day reporting; or probation revocation and re-sentencing. Incentives may include: fewer court appearances; fewer treatment sessions; fewer drug tests; reduction in fines and fees; reduction of public service work; greater employment opportunities; and referral to other services.

Treatment Interventions: The drug court relies on local and regional drug and alcohol treatment facilities, both inpatient and outpatient, to provide the necessary treatment modalities as determined by the accompanying assessment. There are approximately 5-6 inpatient facilities within the region and two intensive outpatient programs.

TRAINING

The drug court team has attended several national drug court conferences and attends the yearly state conference, as well. The team has also received training on sanctions and incentives through the National Drug Court Institute (NDCI) and attended local and regional training seminars on a variety of case management issues.

OUTCOME/MEASURES

One drug court evaluation has been completed to date. Northern Illinois University completed the *Winnebago County Drug Court Evaluation Report* on December 20, 1999.

Circuit: Seventeenth Judicial Circuit
County/Location: Winnebago County

Type of Problem-Solving Court: Mental Health Court

Implementation Date: February 8, 2005

Problem-Solving Court Model Description: The Winnebago County Mental Health Court, formally referred to as the Therapeutic Intervention Program (TIP), is modeled on the concept of *therapeutic justice* which utilizes a team approach. Participation in the TIP court is voluntary and requires the defendant to willingly participate in the model. The model requires an initial professional assessment within 48 hours of arrest and a treatment plan devised while the defendant is in jail, a case review by the team, placement of the individual in the mental health court, and frequent court appearances for the participant. In addition, the participants are more intensively monitored and counseled than in traditional sentences of standard probation.

ADMINISTRATION

Goals & Objectives: The Winnebago County Mental Health Court was established to enhance and protect public safety while restoring the liberty and community functioning of defendants with severe mental illness through comprehensive and therapeutic judicial intervention.

Policies & Procedures: The Mental Health Community Task Force developed a series of policies and procedures to guide the operations and management of the mental health court.

Funding: Funding is largely supported through revenue received from the 1% Public Safety Tax Fund which Winnebago County taxpayers approved in November 2002. An additional revenue source from Public Act 93-0992, granting the collection of fees from defendants for the operation of mental health courts, may defray expenditures from the county general fund.

CASE PROCESSING

Type of Cases/Population Served: Participants must meet the following criteria: diagnosed with a serious mental illness, as described in the *Diagnostic and Statistical Manual of Mental Disorders*, 4th Edition; be willing to cooperate with the court and with an approved treatment agency and sign all releases of information required by the court; and be screened and approved by the TIP team. All criminal misdemeanor offenses are eligible and all domestic violence offenses will be phased into the program at the discretion of the team and with the judge's approval.

Screening/Assessment: The jail assessor administers all pertinent assessment tools required to establish a Diagnostic Statistical Manual (DSM) diagnosis and applies American Society of Addiction Medicine (ASAM) criteria to determine the most appropriate level of care for clients with substance abuse.

Incentives/Sanctions: Possible sanctions that may be imposed are: reprimands; more frequent home visits; more frequent court appearances; writing assignments; more restrictive pretrial release conditions; public service work; delay in promotion to next treatment level; jail; and termination/sentencing. Incentives may include: recognition or praise; less frequent drug and alcohol testing; less frequent status hearings; moving to the next level; less restrictive pretrial release conditions; and charge reduction or dismissal.

Treatment Interventions: Janet Wattles Mental Health Center is the designated provider for mental health services in Winnebago County.

TRAINING

The entire mental health court team participated in 40 hours of initial training prior to the court's inception. The entire team also participated in the National Mental Health Courts Conferences in June 2005 and April 2006. The team is required to complete a minimum of 10 hours of additional, approved training every calendar year.

OUTCOME/MEASURES

Program evaluation will be conducted by the program coordinator, support staff and by the Janet Wattles Mental Health Center through an in-kind collaboration with the University of Chicago.

Circuit: Eighteenth Judicial Circuit
County/Location: DuPage County

Type of Problem-Solving Court: Drug Court - Adult

Implementation Date: July 15, 2002

Problem-Solving Court Model Description: The DuPage County Drug Court (DCDC) is based on the National Drug Court Institute's *10 Key Components* in establishing a drug court. The DCDC is a pre-dispositional program that diverts drug using defendants into treatment with a 24-month minimum duration.

ADMINISTRATION

Goals & Objectives: DCDC was established to reduce recidivism, insure public safety, and to return the substance abuse offender into the community as a productive member of society.

Policies & Procedures: NO

Funding: Funding for the drug court is currently provided by the County of DuPage.

CASE PROCESSING

Type of Cases/Population Served: Participants must be an adult offender charged with a felony drug or drug-related offense, and have a history and/or current problem of substance abuse. Applicants with dual diagnosis are accepted as long as the substance abuse is the primary issue.

Screening/Assessment: DCDC follows the American Society of Addiction Medicine (ASAM) criteria for all of their substance abuse assessments, the LSI-R is also used to determine risk.

Incentives/Sanctions: Sanctions may include: providing more frequent urinalysis; reporting more frequently to the court or probation officer; payment for drug retesting; performance of public service work; jail time; and termination from the program. Incentives that may be used are: the reduction of previously imposed sanctions; fewer court appearances; fewer office visits; fewer urinalysis; and graduation from the program.

Treatment Interventions: Pretreatment groups based on the stages of change, long-term residential, short-term residential, halfway house, three-quarter recovery, IOP, OP, aftercare, self-help, psychiatric care, and psychotropic medication are provided by the DCDC program. DuPage County has one long-term residential program for males and one halfway/three-quarter housing program for both males and females. Long-term and short-term residential services from other counties are used on a regular basis, especially for females.

TRAINING

Each probation officer has a minimum of 40 hours of training before they assume the position. The officers and case manager are all certified alcohol and drug counselors so they consistently attend relevant training to maintain their credentials. The DCDC team attended the National Association of Drug Court Professionals conference three times in four years. They attend the Annual Illinois Association of Drug Court Professionals Conference, and the coordinator attended a training through the National Drug Court Institute in 2002 for drug court coordinators.

OUTCOME/MEASURES

Governors State University completed an evaluation in 2005.

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Circuit: Eighteenth Judicial Circuit
County/Location: DuPage County

Type of Problem-Solving Court: Mental Health Court

Implementation Date: January 14, 2004

Problem-Solving Court Model Description: The DuPage County Mental Health Court (MICAP) is a pre-plea diversion program. It is a synthesis of the court models of Broward County, Florida and King County, Alaska. The judge and staff from Broward County gave a presentation on the origins of their program, as well as the day-to-day operations of the court.

ADMINISTRATION

Goals & Objectives: The goals of MICAP are: 1) safety of the community; 2) treatment of defendants with mental illness (DwMI); 3) avoidance of recidivism of DwMI; 4) save money spent on time of the first responders and the penal system; and 5) help DwMI avoid the stigma and loss of benefits associated with some criminal convictions.

Policies & Procedures: YES

Funding: The DuPage County Board has allocated monies from a 3-year special water commission fund payment. Federal and state entitlement programs specific to individual DwMI have been used. General funding from the county, as well as grants, will be sought.

CASE PROCESSING

Type of Cases/Population Served: Applicants for MICAP must be adult defendants with an Axis I diagnosis (serious mental illness) that is related to the offense charged. The program was initially directed toward nonviolent misdemeanor offenders, but has come to encompass felonies. Violent offenses are considered with specific consent of the victim(s). A DwMI who has prior felony convictions may be accepted in some circumstances.

Screening/Assessment: DuPage Mental Health Court utilizes a multi-systemic approach beginning with a full clinical evaluation, LSI-R and HCR20. During staffing all possibilities are discussed and everyone's ideas are considered.

Incentives/Sanctions: The MICAP staff provide day-to-day direction with very small treats, such as gift cards for fast food or participation in socialization events/group outings. In court positive reinforcement, as well as constructive criticism, redirection and, when necessary, a limit of privileges is provided by the judge, prosecutor, and defense attorney. A DwMI who requires inpatient treatment or funded housing may be required to remain in jail until a placement becomes available. A short return to jail is the sanction of last resort.

Treatment Interventions: The treatment/programming encompasses anything from housing to counseling, medication monitoring, job counseling, anger management and cognitive therapy groups, substance abuse inpatient case, intensive outpatient care, and halfway houses. The mental health court also uses any sources available, including those of the health department, psychological services department, probation, and referrals to community resources.

TRAINING

We have met with the judge and staff of the Broward County court and have attended conferences to learn about other mental health courts. We have made presentations of our experience in Paris, France and Boston, Massachusetts. There are also ongoing in-service trainings, workshops and professional conferences.

OUTCOME/MEASURES

There is a process/outcome evaluation being done, however, since it is almost *pro-bono* it is not up-to-date for publication. We currently track new arrests and police contacts, hospitalizations, housing, and medication compliance.

Circuit: Nineteenth Judicial Circuit
County/Location: Lake County

Type of Problem-Solving Court: Drug Court - Adult

Implementation Date: July 1, 2005

Problem-Solving Court Model Description: The model adopted in Lake County involves a team review of prospective cases which are referred by prosecutors, defense attorneys, probation, or pretrial services. The cases are staffed and, if acceptable, are placed in the Lake County Therapeutic Intensive Monitoring Court Program (TIM) post-sentencing. The approach is non-adversarial with all TIM team members working together to assist the offender in remaining drug free.

ADMINISTRATION

Goals & Objectives: The Lake County TIM mission is to: reduce drug usage within the target population with the vision that it will enable lifelong sobriety; reduce recidivism by breaking the correlation between substance abuse and crime; reduce court workloads based on an overall reduction of new cases and probation violations; reduce the jail population; and reduce the work release waiting list.

Policies & Procedures: YES

Funding: Allocations were obtained from the Lake County Board for fiscal years 2005 and 2006. Most of the treatment costs are absorbed by the existing budget and probation service fees.

CASE PROCESSING

Type of Cases/Population Served: Participants must meet the following criteria: be a U.S. citizen with legal residency in Lake County, charged with or convicted of a Class 2-4 nonviolent felony, and be drug dependent with no prior history of violence.

Screening/Assessment: Assessments being used in Lake County are the Level of Service Inventory-Revised (LSI-R) and the Substance Abuse Subtle Screening Inventory (SASSI).

Incentives/Sanctions: Sanctions that can be imposed include jail time, curfews, increased reporting, increased treatment, and termination from the TIM program. Incentives include praise and applause from the judge, gift cards, bus passes, etc.

Treatment Interventions: Extensive treatment opportunities are provided by the TIM court. These treatment venues include, but are not limited to, detoxification and rehabilitation at the Alcohol Treatment Program, inpatient treatment at Haymarket Center, Gateway House, Bridge House, and Women's Residential Services. Intensive outpatient treatment is provided at Lake County Substance Abuse (LCSA). Outpatient services are provided at LCSA, Northern Illinois Council on Alcoholism & Substance Abuse, and three-quarter houses (Oxford Houses). Support groups are provided by NA, AA, faith-based organizations, and Lake County Mental Health. The Cognitive Outreach Group and women's needs groups are delivered by probation personnel.

TRAINING

Lake County's TIM court coordinator is a master level counselor who has had training on the SASSI and DUI training. The presiding judge attended the comprehensive drug court juvenile training conducted by the National Drug Court Institute.

OUTCOME/MEASURES

To date, there have not been any outcome measures developed for the evaluation of the drug court program.

Circuit: Nineteenth Judicial Circuit
County/Location: Lake County

Type of Problem-Solving Court: Mental Health Court

Implementation Date: February 2, 2007

Problem-Solving Court Model Description: Lake County's Mental Health Court is an extension of the of the Therapeutic Intensive Monitoring (TIM) Court. The model involves a team review of prospective cases which are referred by prosecutors, defense attorneys or pretrial services. The cases which can be either pre-trial or post-sentencing are staffed by the team and if acceptable, are placed in the program. The approach is non-adversarial with all team members working together to stabilize the offensive behavior.

ADMINISTRATION

Goals & Objectives: The goals of the TIM Mental Health Court are to: reduce criminalization of the mentally ill, to provide mentally ill offenders with improved access to assessments and treatment, reduce the rate of recidivism amongst the mentally ill, and reduce the population of the Lake County jail.

Policies & Procedures: YES

Funding: Allocations were obtained from the Lake County Board.

CASE PROCESSING

Type of Cases/Population Served: Participants must meet the following criteria: be at least 18 years of age, committed a misdemeanor non-violent felony, have a significant mental illness which is a motivating factor in criminal activity, AXIS I diagnosis as described in the DSM-IV-TR, can not have any outstanding warrants, must be able to understand the terms of the program, and must demonstrate a willingness to cooperate with the court.

Screening/Assessment: A complete mental health assessment will be conducted by a master level counselor at Lake County Behavioral Health (LCBH).

Incentives/Sanctions: The court attempts to resolve difficulties at the status hearing through the use of incentives (increased privileges, praise, gift cards, bus passes, etc.) and sanction (reprimands, jail time, increased reporting, structured day treatment, etc.)

Treatment Interventions: Extensive treatment opportunities are provided by the Lake County Mental Health Court. These treatment venues include, but are not limited to, psychiatric medication and monitoring, detoxification/rehabilitation, psychiatric respite (CCP), transitional housing, group home, psycho-social rehabilitation, day treatment, outpatient substance abuse services, specialized women's treatment services, individual and group outpatient therapy. Services provided by county agencies or funded by public aid funds.

TRAINING

Lake County's TIM court coordinator is a master level counselor who will monitor training needs.

OUTCOME/MEASURES

To date, there have not been any outcome measures developed for the evaluation of the mental health court program.

Circuit: Twentieth Judicial Circuit
County/Location: St. Clair County

Type of Problem-Solving Court: Drug Court - Adult

Implementation Date: July 5, 2006

Problem-Solving Court Model Description: The St. Clair County Adult Drug Court process is a court-supervised, comprehensive treatment program for nonviolent offenders. The adult drug court is a voluntary program that includes regular court appearances before the drug court judge. Treatment, which includes random drug testing, individual and group treatment sessions, and regular attendance at 12-Step meetings, is provided through a contract with a local treatment provider. The adult drug court team will take a holistic approach to the participants' needs and obtain other needed programming and services beyond the treatment required.

ADMINISTRATION

Goals & Objectives: The mission of the St. Clair County Adult Drug Court is to establish and maintain a specialized docket for nonviolent, felony drug-related arrestees who committed their crime under the influence of drugs or to support their chemical dependency.

Policies & Procedures: Policy and procedures for the operation of the adult drug court will be established through the *Adult Drug Court Policy Manual*.

Funding: St. Clair County Drug Court will receive funding from the St. Clair County Mental Health Board to help service providers in providing drug treatment. However, there is no additional funding at this time.

CASE PROCESSING

Type of Cases/Population Served: Participants must meet the following criteria: the defendant is nonviolent and chemically dependent and arrested on a felony charge; there is no evidence of significant, substantial drug dealing; the defendant has no violent charge, nor history of violence; the defendant is not currently on parole, the defendant does not have evidence of major mental illness; and the defendant must voluntarily agree to participate in the program.

Screening/Assessment: Treatment Alternative for Safe Communities (TASC) will complete a thorough assessment of the individual's substance abuse history to determine severity of the problem and make recommendations for treatment. The probation department will use its current assessment forms in supervising offenders during the drug court process.

Incentives/Sanctions: Sanctions that may be imposed are increased court appearances, performance of public service work, increased drug testing, increased reporting to their probation officer, being taken into custody, or termination from the program. Incentives that can be used are fewer court appearances, fewer office visits, fewer drug tests, and fewer treatment sessions.

Treatment Interventions: Treatment services are provided by the Comprehensive Mental Health Center, Chestnut Health Systems, Gateway Foundation, and TASC.

TRAINING

On May 24, 2006, the St. Clair County Drug Court had a training program for all drug court participants, which included a workshop on dual diagnosis disorder, methamphetamines, motivational interviewing, comments from local treatment sources, and a presentation from Kankakee County's drug court personnel. Drug court personnel will attend additional training, as required.

OUTCOME/MEASURES

To date, there have not been any outcome measures developed for the evaluation of the drug court program.

Circuit: Twentieth Judicial Circuit
County/Location: St. Clair County

Type of Problem-Solving Court: Domestic Violence Court **Implementation Date:** October 1, 1997

Problem-Solving Court Model Description: St. Clair County's Domestic Violence Program is referred to as *PROJECT RENEE*, and was implemented in July 2004. *PROJECT RENEE*'s objective is to provide for the safety of victims of domestic violence and their children through the use of victimless prosecution and to prevent any domestic violence homicides. This project offers the victim the ability to receive complete services more rapidly during crucial periods and to maximize the availability of organizational resources.

ADMINISTRATION

Goals & Objectives: First, to establish a specialized domestic violence courtroom. Second, to implement a diversion program for first-time offenders in domestic violence related offenses. Finally, to establish a system that will help monitor all domestic violence cases within the jurisdiction.

Policies & Procedures: There are no written policies and procedures to guide the operations and management of St. Clair County's Domestic Violence Courtroom.

Funding: *PROJECT RENEE* is funded by the Illinois Criminal Justice Information Authority (ICJIA).

CASE PROCESSING

Type of Cases/Population Served: All domestic violence victims who are referred to the state's attorney's office.

Screening/Assessment: St. Clair County's Domestic Violence Program Team has developed and implemented the Lethality Assessment Instrument that is used with all *PROJECT RENEE* members.

Incentives/Sanctions: The best incentive for the diversion program is that if the offender completes the program successfully, they will not end up with a conviction and their sentence will be vacated. During probation, administrative sanctions will be utilized with domestic violence cases as they are with all probation cases.

Treatment Interventions: The St. Clair County Domestic Violence Court utilizes a program from Provident Counseling entitled *Men Ending Domestic Violence* (MEDV) for treatment of perpetrators involved in the domestic violence courtroom. MEDV is modeled on two internationally recognized Batterers International programs. These two programs are Domestic Abuse Intervention Project of Duluth, Minnesota and Raven of St. Louis, Missouri. These programs, through education and counseling, will help men understand the nature and ramifications of their abusive behavior and provide them with practical information on how to change their behavior and learn non-controlling ways to relate to women and others.

TRAINING

Training has been provided for all domestic violence court members on basic policies and procedures, the overall structure of the St. Clair County Domestic Violence Courtroom, and *PROJECT RENEE*

OUTCOME/MEASURES

To date, there have not been any outcome measures developed for the evaluation of the domestic violence court program.

Circuit: Twenty-first Judicial Circuit
County/Location: Kankakee County

Type of Problem-Solving Court: Drug Court - Adult

Implementation Date: June 1, 1995

Problem-Solving Court Model Description: The Kankakee County Drug Court Program is an integrated approach that builds upon information and efforts of all treatment providers and probation in an effort to impede drug-related criminal activity through the education, early intervention, and/or rehabilitation of addicted offenders. The drug court program is one that utilizes a 3-phase approach. Phase I is the initial assessment and treatment; Phase II is aftercare; and Phase III is continuing case, relapse prevention, and graduation.

ADMINISTRATION

Goals & Objectives: The goal of the Kankakee County Drug Court Program is to intervene in the drug/crime cycle as early as possible and allow substance abuse offenders the opportunity to participate in appropriate substance abuse prevention/intervention activities, consequently minimizing the impact of recidivism on the criminal justice system.

Policies & Procedures: YES

Funding: The drug court received a grant from the Illinois Department of Human Services which allows Treatment Alternative for Safe Communities (TASC) to perform drug testing. Kankakee County funds the remaining cost.

CASE PROCESSING

Type of Cases/Population Served: Participants must meet the following criteria: be a nonviolent offender at least 17 years old with a substance addiction; reside in Kankakee County; have no history of violence or drug dealing; and demonstrate a willingness to participate in a treatment program.

Screening/Assessment: Assessments are completed by the local TASC office representative.

Incentives/Sanctions: Sanctions may include: curfew restrictions; writing assignments; public service work; increased case management contact; jail time (ranging from 1-21 days); and termination from the program. Incentives that may be awarded are: the reduction of previously imposed sanctions; decrease in court appearances; and graduation from the program.

Treatment Interventions: There are four treatment facilities located within the county. Clients are referred to treatment by the drug court coordinator, who also monitors the clients' progress throughout treatment.

TRAINING

The drug court team attended the National Association of Drug Court Professionals Conference, training provided by the National Drug Court Institute, and the Annual Illinois Association of Drug Court Professionals Conference.

OUTCOME/MEASURES

To date, there have not been any outcome measures developed for the evaluation of the adult drug court.

Circuit: **Twenty-second Judicial Circuit**
County/Location: **McHenry County**

Type of Problem Solving Court: Mental Health Court **Implementation Date:** January 2007

Problem-Solving Court Model Description: McHenry County has primarily been modeled after DuPage County Mental Health Court (MICAP). It is a diversion program for offenders with mental illness which provides a treatment alternative, in lieu of punishment, in an effort to enhance stability and reduce recidivism.

ADMINISTRATION

Goals & Objectives: To provide a treatment alternative for offenders with mental illness in lieu of punishment. The Mental Health Court programs will be integrated into the local justice system by exploring, as early as possible, the mental health condition, history, and needs of the offenders.

Policies & Procedures: NO

Funding: Grant application was accepted June of 2006. The McHenry County Mental Health Board will also contribute funds for this initiative.

CASE PROCESSING

Type of Cases/Population Served: Participants must meet the following criteria; must have a DSM IV, axis I diagnosis, must be legally competent, cooperative, agree to sign releases as requested, and participants must comply with the pre-trial conditions.

Screening/Assessment: Assessments are being discussed.

Incentives/Sanctions: The offender will progress through the program by increasing the duration between court appearances, meetings with the probation officer and clinical manager. As the defendant stabilizes in the community, the pre-trial bond conditions may be modified and the defendants court appearance(s) waived. If the offender does not commit a new offense, complies with treatment recommendations and demonstrates sobriety in the community, the offender's case will be dismissed or charges will be reduced. If the defendant is noncompliance there will be an increase in court appearances, more appointments with the probation officer or clinical manager, jail time or hospitalization may be necessary to protect the community or welfare of the mental ill offender.

Treatment Interventions: The McHenry County Mental Health Board has a vast array of mental health and substance abuse treatment programs that they fund, and will be made available to participants.

TRAINING

This is being discussed to determine the appropriate training.

OUTCOME/MEASURES

To date, there have not been any outcome measures developed for the evaluation of the Mental Health Court program.

Contact person: *Phil Ulmer, Court Administrator* (815)334-4400

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Circuit: Cook County
County/Location: Adult Probation

Type of Problem-Solving Court: Drug Court - Adult

Implementation Date: Spring of 1998

Problem-Solving Court Model Description: The program in the criminal division entitled *Rehabilitative Alternative Probation* (RAP), targets nonviolent probationers who are subsequently charged with a low-level felony drug charge. If the probationer elects to participate in RAP, the new charge is dismissed and the probationer is sentenced to RAP on the violation of probation. The programs in Municipal Districts 4 and 6 target defendants who are identified as having substance abuse problems and have been arrested for either felony or misdemeanor offenses. Participants in these two courts may or may not be probation violators. While they target different populations, all three drug treatment courts work at breaking the cycle of addiction and crime. Drug treatment court probation can last from 12-18 months.

ADMINISTRATION

Goals & Objectives: To reduce the use of illegal drugs, improve the participants' employment and educational status, and reduce involvement in criminal behavior. These are to be accomplished through comprehensive treatment and services, intensive supervision, urinalysis, case management through a team approach, and use of graduated rewards and sanctions.

Policies & Procedures: YES

Funding: Personnel costs are funded through the corporate budget and contractual costs are paid through the probation services fee budget.

CASE PROCESSING

Type of Cases/Population Served: The RAP program targets nonviolent probationers who are subsequently charged with a low-level, felony drug charge (i.e., Class 4). The programs in Municipal Districts 4 and 6 target defendants who are identified as having substance abuse problems and have been arrested for either felony or misdemeanor offenses. These defendants may or may not be probation violators.

Screening/Assessment: Treatment providers complete a clinical substance abuse assessment and defendants are recommended for the appropriate level of care as identified through the American Society of Addiction Medicine standard placement criteria. The following *dimensions* are used to assess the client's severity of impairment: acute intoxication/withdrawal potential; biomedical conditions/complications; emotional/behavioral conditions/complications; treatment acceptance/resistance; relapse potential; and recovery environment. Probation officers also complete a social history that is used for case planning and helps ensure services are responsive to the unique characteristics and needs for each probationer.

Incentives/Sanctions: Incentives include: certificates of phase completion; encouragement and praise from the bench and drug court team; reduced level of supervision; decreased frequency of court appearances; decreased urinalysis; and a formal graduation ceremony. Sanctions include: admonishments from the judge; increased drug testing; increased reporting to the probation officer and/or judge; writing assignments; home confinement curfews; observing drug treatment court from the jury box; confinement for a day in the court lock-up; and jail time.

Treatment Interventions: All levels of treatment are provided, including detoxification, inpatient treatment (including jail-based and community-based), intensive outpatient, outpatient, recovery home services, aftercare services, and ancillary support services. Substance abuse treatment is contracted through qualified providers and is funded primarily through probation service fees. Ancillary support services are provided by community agencies that have other sources of funding.

TRAINING

Team members attend training events each year including conferences sponsored by the National Association of Drug Court Professionals. Probation officers are required to complete 40 hours of training each year.

OUTCOME/MEASURES

Re-arrest rates, urinalysis results, changes in employment and educational status, and rates of program completion are all measurements used to judge efficacy of the drug court.

Circuit: Cook County
County/Location: Adult Probation

Type of Problem-Solving Court: Mental Health Court

Implementation Data: Spring, 2004

Problem-Solving Court Model Description: The model includes the following: supervision by the Cook County Adult Probation Department's Mental Health Unit; TASC's case management for dual-diagnosed, criminally involved individuals; an interdisciplinary team/case conference approach; treatment and housing providers; involvement from the Chicago Police Department's Crisis Intervention Teams; and family and consumer support through NAMI of Greater Chicago.

ADMINISTRATION

Goals & Objectives: To provide an alternative to incarceration for appropriate offenders with dual diagnosis, to reduce their criminal behavior, and to increase access to effective services.

Policies & Procedures: YES

Funding: The one probation officer position is funded through the department's corporate budget.

CASE PROCESSING

Type of Cases/Population Served: Participants must meet the following criteria: have an axis one diagnosis for mental disorder, preferably with a cooccurring substance abuse disorder; be charged with a probationable, nonviolent, non-sex crime; no history of violence; be in the Cook County Department of Corrections; recently received mental health services according to the Department of Mental Health database; and be willing to participate in the program. There is an effort to maintain an equal number of male and females in the program.

Screening/Assessment: At the time the person is detained in the Cook County Department of Corrections, a clinical mental health assessment is done to substantiate illness and complete a diagnosis. TASC then completes an assessment to assist in making a treatment placement. Additionally, adult probation conducts a clinical mental health evaluation to assist with case management.

Incentives/Sanctions: Incentives include decreased reporting requirements, praise and encouragement, and a graduation ceremony for those who successfully complete the program. Sanctions include increased reporting requirements, short periods of incarceration, and admonishments from team members. Additionally, Chicago police deploy a crisis intervention team to address and/or re-engage absconders.

Treatment Interventions: A full range of treatment for mentally ill, substance abusing offenders is provided. Most begin in residential treatment and progress to community-based treatment.

TRAINING

Team members have attended training on integrated dual-disorder treatment and on issues related to women, abuse, and trauma. The probation officer assigned to the court is required to complete 40 hours of training annually, the majority of which is dedicated to issues regarding mentally ill substance abusing offenders.

OUTCOME/MEASURES

No formal evaluation has been completed at this time.

Circuit: Cook County
County/Location: Social Service Department

Type of Problem-Solving Court: Drug Court - Adult

Implementation Date: February 1998

Problem-Solving Court Model Description: The model is primarily post-plea. Court diversion was used in the initial stages in Municipal District 6 on a limited basis. At the onset a Social Service Department caseworker conducts a screening interview with the defendant at the time of the bond court hearing in lock-up. Next, the caseworker makes a recommendation to the judge regarding the client's appropriateness for the program. If the client meets the eligibility criteria and is willing to participate in the program, the client is referred for treatment, usually inpatient, at a local treatment facility. The client remains in treatment pending sentencing. Once sentenced to either supervision or conditional discharge, the client remains on the caseload with the Social Service Department caseworker. The client is required to follow all treatment recommendations, attend status hearings, submit to urinalysis and meet regularly with the caseworker. Clients remain in the program for up to two years. Graduations take place in May and October of each year.

ADMINISTRATION

Goals & Objectives: To intervene immediately upon initial court appearance of defendants assigned to the 6th Municipal District by virtue of their arrest. Eligible offenders are identified at their first court appearance and bond conditions for assessment, drug testing and treatment, court appearances, and contact with the Social Service Department caseworker are determined at that same appearance.

Policies & Procedures: YES

Funding: The program was initially funded through a federal grant award from the Office of Justice Programs. This funding discontinued in 2001. Since that time, the Circuit Court of Cook County has assumed all costs associated with the program.

CASE PROCESSING

Type of Cases/Population Served: The program follows the Drug Court Treatment Act (Public Act 92-0058) regarding client eligibility as related to violent offenders. The program also targets misdemeanor drug cases or adult defendants charged with a misdemeanor drug-related offense.

Screening/Assessment: The program utilizes a brief screening assessment in lock-up that consists of questions related to the client's history of drug use, prior drug-related offenses, and willingness to participate in the program. Once sentenced, the caseworker conducts a thorough psycho social history.

Incentives/Sanctions: Incentives include reduced contact with the judge and caseworker, reduced urinalysis, reduced treatment requirements, and praise from the judge. Sanctions include that the client would be required to remain in lock-up until the end of the status hearing, jail time, revocation, admonishment from the bench, and expulsion from the program.

Treatment Interventions: Through a competitive bid process, the department establishes a network of DASA approved substance abuse treatment providers. Each of the providers has a history of providing drug treatment services to criminal justice clients. In addition, each provider has gender-specific programs. Several of the providers offer inpatient treatment. One provider offers a long-term, six to twelve-month residential program. The drug court program has also established contacts with halfway house programs. Treatment is not delivered by the circuit court, however, the department is responsible for initial assessment, case management, and crisis intervention.

TRAINING

Staff attended the annual NADCP conference several times. In addition, the staff attended a three-day drug court training in August 2004 in Oak Brook. Additional training includes various conferences on substance abuse issues and the Annual Illinois Association for Drug Court Professionals Conference.

OUTCOME/MEASURES

A formal, independent, process evaluation has not been conducted on the program. However, the department conducts quarterly analysis of re-arrest rates and tracks program participation.

Circuit: Cook County
County/Location: Juvenile Probation

Type of Problem-Solving Court: Drug Court - Juvenile **Implementation Data:** October 21, 1996

Problem-Solving Court Model Description: The Cook County Juvenile Drug Court Program was established to demonstrate the impact of an integrated early intervention program for minors charged with a delinquent act and a related substance abuse problem. The program's initiative is based on the premise that drug treatment and related sanctions are most effective when initiated as expeditiously as possible after the minor's arrest.

ADMINISTRATION

Goals & Objectives: To provide early and continuing judicial supervision for substance abusing delinquent minors while upholding the principles of accountability, public safety, and competency development. The drug court program is committed to promoting abstinence and leading youth toward healthy and productive lives.

Policies & Procedures: YES

Funding: Funding is provided by the corporate budget.

CASE PROCESSING

Type of Cases/Population Served: Minors eligible to participate in the program range from 10 to 16 ½ years of age, charged with a nonviolent offense, and have no prior pending violent felonies. The program targets minors in pre-adjudicatory style of case processing.

Screening/Assessment: Treatment Alternatives for Safe Communities (TASC) is responsible for preparing and completing a clinical assessment on each minor identified through an initial screening conducted by the probation department. TASC utilizes the Youth Clinical Assessment Model (YCAM). A Certified Alcohol and Other Drug Counselor (CADC) administers the assessment.

Incentives/Sanctions: The drug court program utilizes graduated sanctions, which include: increased frequency of required contacts; increased number of self-help meetings per week; increased frequency of urinalysis; transfer to a more restrictive environment; required attendance at bimonthly Town Hall meetings; required attendance at an after school tutorial program; and relapse prevention programming.

Treatment Interventions: Cook County's Juvenile Drug Court uses a multi-disciplinary team of service providers. Each minor is referred to a designated treatment provider near his/her community. Treatment providers supply the court with a comprehensive continuum of community-based clinical interventions and supervision to reduce the rate of relapse and related offenses for minors participating in the program.

TRAINING

Probation officers receive ongoing training which covers a variety of topics. Much of the training focuses on substance abuse and related issues.

OUTCOME/MEASURES

The two primary measurements used to gauge the efficacy of the drug court program are the number who have successfully completed the program and the number of youths who have refrained from additional arrest.

APPENDIX C:

Evidence-Based Practices Guides

EVIDENCE-BASED PRACTICES FOR THE JUDICIARY

**Evidence-based practices (EBP) are principles that are empirically proven to
REDUCE RECIDIVISM & IMPROVE OFFENDER OUTCOMES**

Risk Principle

Match intensity of supervision/interventions to risk levels.

High risk offenders require intensive interventions to reduce recidivism. *Low risk offenders* require minimal supervision and services. Too much intervention will actually increase their risk to re-offend.

Need Principle

Criminogenic needs are dynamic risk factors that directly contribute to criminal behavior. When addressed or changed, they can reduce the likelihood of recidivism. Interventions must target these criminogenic needs.

Responsivity Principle

Offenders respond and adjust differently to treatment strategies. Internal factors (motivation, age, cognitive ability, personality, etc.) and external factors (setting, counselor characteristics, etc.) should be considered when selecting appropriate interventions for offenders.

Criminogenic Needs That Are The Most Predictive Of Recidivism

- ✓ Personal attitudes, values, and beliefs supportive of crime
- ✓ Pro-criminal associates and isolation from anti-criminal others
- ✓ Temperament and personality factors
- ✓ History of antisocial behavior evident from a young age
- ✓ Familial factors
- ✓ Low levels of personal, educational, vocational, or financial achievement

(Andrews and Bonta, 1998)

Illinois Assessment Instruments

The LSI-R and YASI are objective, quantifiable instruments that provide consistent and valid methods of predicting risk to re-offend. They also identify specific risk factors and protective factors in the domains shown below. Information is gathered through interviews, record checks, and collateral contacts. Re-assessments are completed periodically to measure progress and guide adjustments to supervision and interventions.

YASI Domains

(Youth Assessment & Screening Instrument)

- ☞ Legal History
- ☞ Family/Environment
- ☞ School
- ☞ Community/Peers
- ☞ Alcohol/Drugs
- ☞ Mental Health
- ☞ Employment/Free Time
- ☞ Aggression
- ☞ Attitudes
- ☞ Skills

Interventions That Work

- * Social Learning Approaches
- * Cognitive-Behavioral Programs
- * Educational Strategies
- * Family-Based Therapies

Interventions That Don't Work

- * Non-directive, client-centered counseling
- * Unstructured psycho-dynamic therapy
- * Intense group interactions without regard for personal responsibility
- * Programs that do not make use of direct training procedures
- * Punishment that does not incorporate the principles of effective intervention

EVIDENCE-BASED PRACTICES FOR THE JUDICIARY

**Evidence-based practices (EBP) are principles that are empirically proven to
REDUCE RECIDIVISM & IMPROVE OFFENDER OUTCOMES**

<u>EIGHT PRINCIPLES OF EBP</u>	<u>WHAT JUDGES CAN DO</u>
<p>①→ Assess Actuarial Risk/Needs Advanced tools identify offenders' risk to re-offend, criminogenic needs (risk factors), and protective factors. Adults: Level of Service Inventory - Revised (LSI-R) Juveniles: Youth Assessment & Screening Instrument (YASI)</p>	<ul style="list-style-type: none"> ▶ Expect to receive assessment information in PSI's, at VOP's, etc. ▶ Use that information in setting conditions of probation and in sentencing and sanctions. ▶ Empower probation to craft appropriate conditions/interventions. ▶ Set expectations for compliance and behavior change by offenders. ▶ Respond to changes and reassessments.
<p>②→ Enhance Intrinsic Motivation Addressing offenders' motivation to change with motivational interviewing techniques can produce profound, long lasting behavior change.</p>	<ul style="list-style-type: none"> ▶ Establish policies which emphasize that behavior change is not only possible, but expected. ▶ Create an environment in your courtroom conducive to positive change for offenders with the use of eye contact, body language, tone of voice, sentencing statements, etc.
<p>③→ Target Interventions Matching appropriate interventions to each offender is critical to efficiently and effectively meet the needs of offenders and reduce recidivism. When working with offenders, consider <i>RISK</i>, <i>NEED</i>, and <i>RESPONSIVITY</i>.</p>	<ul style="list-style-type: none"> ▶ Recognize that targeting low risk offenders is ineffective and may be counterproductive. Focus on medium and high risk offenders. ▶ Support probation in targeting interventions based on offenders' risk levels and criminogenic needs. ▶ If your goal is behavior change, punishment alone is likely ineffective; develop sentencing orders and conditions accordingly.
<p>④→ Skill Train with Directed Practice Skills are taught through modeling of the desired skill, practicing it with the offender, and providing feedback.</p>	<ul style="list-style-type: none"> ▶ Lead systemic efforts to implement effective interventions locally. ▶ Understand and implement social learning theory in courtroom interactions and practices. ▶ Model the behavior you desire from offenders. ▶ Require/encourage programs to use approaches that change offender thinking, teach new skills, and enable offenders to apply them to daily life. (Cognitive-behavioral approaches)
<p>⑤→ Increase Positive Reinforcement Positive reinforcement can significantly impact behavior. Use a ratio of 4 positive to every 1 negative reinforcement.</p>	<ul style="list-style-type: none"> ▶ Remember the importance of judicial praise. What you do and say to an offender can have an equal (or even greater) impact on an offender than probation officers and service providers. ▶ Support systemic policies which effectively use incentives as well as sanctions.
<p>⑥→ Engage Ongoing Support in Natural Communities Actively engaging existing pro-social support systems and protective factors in an offender's community can help reduce recidivism and sustain positive behavior change.</p>	<ul style="list-style-type: none"> ▶ Require offenders' protective factors to be provided by probation. ▶ Base conditions of probation and sentencing orders on positive influences as well as risk. ▶ Avoid orders or conditions that disrupt existing support networks and positive influences. Build upon and reinforce them whenever possible.
<p>⑦→ Measure Relevant Processes/Practices Determine if what you are doing is working properly by defining and measuring systemic and individual outcomes.</p>	<ul style="list-style-type: none"> ▶ Help define appropriate systemic outcomes and establish an expectation for data to be gathered, analyzed, and used to make changes.
<p>⑧→ Provide Measurement Feedback Providing feedback to offenders on their progress ensures accountability, increases motivation, and discourages relapse.</p>	<ul style="list-style-type: none"> ▶ Use data and outcomes to advocate for programs, obtain resources, educate the public, inform the media, and demonstrate the impact of the justice system.

EVIDENCE-BASED PRACTICES FOR PROBATION OFFICERS

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REDUCE RECIDIVISM & IMPROVE OFFENDER OUTCOMES

Risk Principle

Match intensity of supervision/interventions to risk levels.

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Low risk offenders require minimal supervision and services. Too much intervention will actually increase their risk to re-offend.

Need Principle

Criminogenic needs are dynamic risk factors that directly contribute to criminal behavior. When addressed or changed, they can reduce the likelihood of recidivism. Interventions must target these criminogenic needs.

Responsivity Principle

Offenders respond and adjust differently to treatment strategies. Internal factors (motivation, age, cognitive ability, personality, etc.) and external factors (setting, counselor characteristics, etc.) should be considered when selecting appropriate interventions for offenders.

Criminogenic Needs

That Are The Most Predictive Of Recidivism

- ✓ Personal attitudes, values, and beliefs supportive of crime
- ✓ Pro-criminal associates and isolation from anti-criminal others
- ✓ Temperament and personality factors
- ✓ History of antisocial behavior evident from a young age
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(Andrews and Bonta, 1998)

Illinois Assessment Instruments

The LSI-R and YASI are objective, quantifiable instruments that provide consistent and valid methods of predicting risk to re-offend. They also identify specific risk factors and protective factors in the domains shown below. Information is gathered through interviews, record checks, and collateral contacts. Re-assessments are completed periodically to measure progress and guide adjustments to supervision and interventions.

YASI Domains

(Youth Assessment & Screening Instrument)

- ☞ Legal History
- ☞ Family/Environment
- ☞ School
- ☞ Community/Peers
- ☞ Alcohol/Drugs
- ☞ Mental Health
- ☞ Employment/Free Time
- ☞ Aggression
- ☞ Attitudes
- ☞ Skills

LSI-R Domains

(Level of Service Inventory - Revised)

- ☞ Criminal History
- ☞ Education/Employment
- ☞ Financial
- ☞ Family/Marital
- ☞ Accommodation
- ☞ Leisure/Recreation
- ☞ Companions
- ☞ Alcohol/Drug Problem
- ☞ Emotional/Personal
- ☞ Attitudes/Orientation

Interventions That Work

- * Social Learning Approaches
- * Cognitive-Behavioral Programs
- * Educational Strategies
- * Family-Based Therapies

Interventions That Don't Work

- * Non-directive, client-centered counseling
- * Unstructured psycho-dynamic therapy
- * Intense group interactions without regard for personal responsibility
- * Programs that do not make use of direct training procedures
- * Punishment that does not incorporate the principles of effective intervention

EVIDENCE-BASED PRACTICES FOR PROBATION OFFICERS

Evidence-based practices (EBP) are principles that are empirically proven to
REDUCE RECIDIVISM & IMPROVE OFFENDER OUTCOMES

<u>EIGHT PRINCIPLES OF EBP</u>	<u>WHAT PROBATION OFFICERS CAN DO</u>
<p>①→ Assess Actuarial Risk/Needs Advanced tools identify offenders' risk to re-offend, criminogenic needs (risk factors), and protective factors. Adults: Level of Service Inventory - Revised (LSI-R) Juveniles: Youth Assessment & Screening Instrument (YASI)</p>	<ul style="list-style-type: none"> ▶ Use advanced assessment tools to determine the offender's risk of re-offending, as well as protective factors. ▶ Communicate risk levels, criminogenic needs, and appropriate interventions to judges. ▶ Reassess and refocus as needed.
<p>②→ Enhance Intrinsic Motivation Addressing offenders' motivation to change with motivational interviewing techniques can produce profound, long lasting behavior change.</p>	<ul style="list-style-type: none"> ▶ Incorporate advanced interviewing techniques to help offenders move through the change process. ▶ Identify readiness to change. (Pre-Contemplation, Contemplation, Preparation, Action, and Maintenance Stages) ▶ Identify and address barriers to change. ▶ Manage relapse.
<p>③→ Target Interventions Matching appropriate interventions to each offender is critical to efficiently and effectively meet the needs of offenders and reduce recidivism. When working with offenders, consider <i>RISK</i>, <i>NEED</i>, and <i>RESPONSIVITY</i>.</p>	<ul style="list-style-type: none"> ▶ Dedicate time and resources to moderate and high risk offenders. ▶ Target the risks that are directly related to re-offending. ▶ Match offenders to programs which are responsive to their backgrounds, abilities, educational levels, etc.
<p>④→ Skill Train with Directed Practice Skills are taught through modeling of the desired skill, practicing it with the offender, and providing feedback.</p>	<ul style="list-style-type: none"> ▶ Learn, understand, and apply social learning theory in all interactions. ▶ Understand and utilize cognitive-behavioral programming. ▶ Model appropriate thinking, behavior, and skills. ▶ Require and allow offenders to practice new thinking, skills, and behavior.
<p>⑤→ Increase Positive Reinforcement Positive reinforcement can significantly impact behavior. Use a ratio of 4 positive to every 1 negative reinforcement.</p>	<ul style="list-style-type: none"> ▶ Learn, understand, and apply the research on sanctions and incentives. ▶ Develop a system of administrative <i>rewards</i> as well as sanctions. ▶ Remember the importance of casual, informal, positive reinforcement in all interactions.
<p>⑥→ Engage Ongoing Support in Natural Communities Actively engaging existing pro-social support systems and protective factors in an offender's community can help reduce recidivism and sustain positive behavior change.</p>	<ul style="list-style-type: none"> ▶ Use assessments to determine an offender's values, who they respect, and who they care about. ▶ Identify and encourage interaction with potential support systems in the offender's family, school, or community. ▶ Learn about the offender's environment and link them to pro-social support systems. ▶ Avoid "fortress probation," and keep judges informed.
<p>⑦→ Measure Relevant Processes/Practices Determine if what you are doing is working properly by defining and measuring systemic and individual outcomes.</p>	<ul style="list-style-type: none"> ▶ Define relevant outcomes (individual and systemic). ▶ Develop policies to gather and analyze data to ensure that offenders are making changes as a result of EBP interventions. ▶ Measure officers' application of EBP with performance appraisals. ▶ Develop quality assurance plans to ensure that EBP are implemented with integrity to the model.
<p>⑧→ Provide Measurement Feedback Providing feedback to offenders on their progress ensures accountability, increases motivation, and discourages relapse.</p>	<ul style="list-style-type: none"> ▶ Adjust practices, policies, and programs according to outcomes. ▶ Provide feedback to offenders on their progress, motivate them to change, and discourage relapse. ▶ Use feedback to improve your department's application of EBP.

**ANNUAL REPORT
OF THE
COMMITTEE ON DISCOVERY PROCEDURES
TO THE ILLINOIS JUDICIAL CONFERENCE**

Hon. Mary Anne Mason, Chair

Hon. Deborah Mary Dooling
Hon. James R. Glenn
Hon. John B. Grogan
Hon. Tom M. Lytton
Hon. James J. Mesich

Hon. Jeffrey W. O'Connor
Hon. Kenneth L. Popejoy
Hon. Thomas M. Welch
Mr. David B. Mueller, Esq.
Mr. Eugene I. Pavalon, Esq.

Mr. Paul E. Root, Esq.

October 2007

I. STATEMENT ON COMMITTEE CONTINUATION

The purpose of the Committee on Discovery Procedures (Committee) is to review and assess discovery devices used in Illinois. It is the goal of the Committee to propose recommendations that expedite discovery and eliminate any abuses of the discovery process. To accomplish this goal, the Committee researches significant discovery issues and responds to discovery-related inquiries. The Committee therefore believes that it provides valuable expertise in the area of civil discovery. For this reason, the Committee requests that it be permitted to continue its work in Conference Year 2008.

II. SUMMARY OF COMMITTEE ACTIVITIES

A. Committee Charge

The Committee is charged with studying and making recommendations on the discovery devices used in Illinois. The Committee also is charged with investigating and making recommendations on innovative means of expediting pretrial discovery and ending any abuses of the discovery process so as to promote early settlement discussions and to encourage civility among attorneys. Finally, the Committee's charge includes reviewing and making recommendations on proposals concerning discovery matters submitted by the Supreme Court Rules Committee, other committees, or other sources.

In conjunction with its charge, the Committee considered a proposal, forwarded by the Supreme Court Rules Committee, to amend Supreme Court Rules 206 and 211 to eliminate the making of objections to the evidence presented in discovery depositions on the basis that such objections serve little or no purpose and lawyers often use them as a means of coaching the witness. The Committee disagreed with the proposal's rationale given its position that objections are a means of protecting a witness from abusive conduct by the deposing attorney. After considering the potential for abuse if objections are prohibited, the Committee concluded that the detriment to eliminating said objections outweighs any benefit. The Committee therefore rejected the proposal and forwarded its decision to the Supreme Court Rules Committee.

In further adherence with its charge, the Committee also is reconsidering its proposed amendment to Supreme Court Rule 214, which was submitted to the Supreme Court Rules Committee in Conference Year 2006 to address the problems associated with sorting through various and often voluminous documents submitted pursuant to a written request to produce. In its proposed amendment, the Committee sought to clarify Rule 214 by requiring that documents, produced pursuant to a Rule 214 request, are labeled to correspond with the specific categories in the written request. The Committee believes that labeling of documents will allow the requesting

party to reasonably identify the specific category in the request that corresponds to each produced document. Following the Annual Public Hearing in January 2007, the Committee was informed by the Supreme Court Rules Committee that its proposed amendment to Rule 214 raised concerns both in testimony at the hearing and in written comments regarding the potential burden from requiring categorization of documents as opposed to producing documents as they are kept in the usual course of business. The Committee therefore is reconsidering its proposed amendment in light of the concerns raised at the public hearing.

B. Conference Year 2006 Continued Projects/Priorities

The following subjects represent the projects/priorities assigned by the Supreme Court to the Committee for consideration in Conference Year 2006, which were extended into Conference Year 2007.

1. Requests to Admit

The Committee was asked to identify and analyze the abuses surrounding the strict requirements for responding to Supreme Court Rule 216 Requests to Admit, with the goal of identifying a means to eliminate such abuses. In analyzing the use of Rule 216 Requests to Admit, the Committee found that abuses often occur in small cases in high volume courtrooms, such as municipal court, where many of the law firms are "bulk filers," who represent credit card companies and collection agencies, and many of the litigants are *pro se*. It is in such courtrooms that the strict requirements of the rule are being misused. After much discussion, the Committee proposed certain narrow amendments to Rule 216, including requiring prior leave of court before serving a request to admit; proper notice to all parties; and prohibiting such requests from (a) being bundled with interrogatories and document requests and (b) being served more than 120 days after the filing of a responsive pleading unless there is agreement otherwise or the court so orders. The Committee limited application of its proposed amendments to civil actions not in excess of \$50,000. In limiting the scope of its proposed amendments, the Committee sought to curb the misuse of Rule 216 requests and yet retain the original purpose of the rule to clarify and simplify evidentiary issues at trial. In Conference Year 2006, the Committee forwarded its proposed amendments to the Supreme Court Rules Committee.

The Committee was notified subsequently by the Supreme Court Rules Committee that its proposed amendments to Rule 216 generated significant comments at the Annual Public Hearing held in January 2007 regarding the limited application of the amendment, the time for filing requests, and requiring leave of court. The Committee therefore is reconsidering its proposed amendments in light of the comments raised at the public hearing.

2. Mandatory Disclosure

The Committee was asked to explore the feasibility and nuances of a rule requiring mandatory disclosure of relevant documents given the increasing problem of parties not receiving relevant information before trial. Initially, the Committee considered requiring mandatory disclosure of documents relied on by the plaintiff in formulating a complaint and of documents relied on by the

defendant in formulating an answer and affirmative defense. There was concern, however, that such a requirement would encroach into work product and the thought process in developing a client's case to require disclosure of documents relied on in drafting pleadings. The Committee also considered adopting mandatory disclosure similar to Federal Rule of Civil Procedure 26, which requires the automatic disclosure of certain information and documents within a specific period after a claim is filed. The Committee discussed Federal Rule 26's apparent conflict with Supreme Court Rule 222, which has its own mandatory disclosure requirements for civil actions seeking money damages not in excess of \$50,000. The Committee also discussed the difference in philosophy between the federal and Illinois rules on discovery. The federal rules focus on whether discovery is relevant to the parties' claim or defense whereas the Illinois discovery rules focus on the relevancy of discovery to the subject matter. The Committee therefore decided not to adopt the automatic disclosure of documents set forth in the federal rules. The Committee's discussion then focused on a form of minimum disclosure whereby certain aspects of Rule 222 are made applicable to general discovery. In its discussion, the Committee examined discovery rules concerning disclosure in other states, along with the use of case management conferences and related orders. The Committee, however, agreed to defer its discussion of mandatory disclosure until a later date given its decision that e-Discovery, as discussed below, be given priority.

C. Conference Year 2007 Projects/Priorities

In Conference Year 2007, the Committee was assigned the comprehensive task of studying and defining e-Discovery. In particular, the Committee was asked to report on e-Discovery's efficacy and potential impact on trial proceedings and current Supreme Court Rules. In addressing this project, the Committee has begun exploring the electronic discovery provisions of the Federal Rules of Civil Procedure, which became effective December 1, 2006. The Committee also has begun collecting the rules from states providing for e-Discovery, and examining the case law and numerous articles written on this subject. The Committee has expressed particular concern with the issue of privileged communications in the realm of electronic documents. It is the Committee's goal to prepare a report for the Court's consideration that addresses the issues arising from the discovery of electronically-stored information; namely the preservation, collection, review and production of electronic evidence.

In addition to studying e-Discovery, several projects/priorities were identified for the Committee's work during Conference Year 2007. In light of the pressing nature of e-Discovery, however, the Committee decided to defer discussion on the following 2007 projects:

- Define work product and privilege for purposes of objecting to discovery under Supreme Court Rule 201(b)(2) (Scope of Discovery);
- Review the use of depositions by telephone under Supreme Court Rule 206(h) (Remote Electronic Means Depositions) without requiring a stipulation or court order;

- Explore the feasibility of contention discovery as used in the federal rules;
- Study and make recommendations on whether Supreme Court Rule 210 (Depositions on Written Questions) can be used in conjunction with Supreme Court Rule 204(c) (Depositions of Physicians) to permit the formulation of questions addressed to nonparty physicians prior to deciding whether to take their depositions;
- Examine whether documents obtained during discovery should be presumptively admissible without requiring foundation testimony;
- Study and report on whether general objections to interrogatories/requests to produce should be permissible; and
- Undertake any such other projects or initiatives that are consistent with the Committee charge.

III. PROPOSED COMMITTEE ACTIVITIES FOR THE NEXT CONFERENCE YEAR

During the 2008 Conference year, the Committee requests that it be permitted to continue its review of e-Discovery. The Committee further requests that it be permitted to address mandatory disclosure and its remaining Conference Year 2007 projects. Finally, the Committee will review any proposals submitted by the Supreme Court Rules Committee.

IV. RECOMMENDATIONS

The Committee is making no recommendations to the Conference at this time.

**ANNUAL REPORT
OF THE
COMMITTEE ON EDUCATION
TO THE ILLINOIS JUDICIAL CONFERENCE**

Hon. Hollis L. Webster, Chair

Hon. Andrew Berman
Hon. James K. Borbely
Hon. Elizabeth M. Budzinski
Hon. Dale A. Cini
Hon. Mark H. Clarke
Hon. Joy V. Cunningham
Hon. Lynn M. Egan
Hon. James R. Epstein
Hon. John K. Greanias
Hon. Alan J. Greiman
Hon. Shelvin Louise Marie Hall
Hon. Susan F. Hutchinson
Hon. Nancy J. Katz

Hon. Kathleen O. Kauffmann
Hon. Robert K. Kilander
Hon. Vincent J. Lopinot
Hon. Jerelyn D. Maher
Hon. Michael J. Murphy
Hon. Stuart E. Palmer
Hon. M. Carol Pope
Hon. Tracy W. Resch
Hon. Scott A. Shore
Hon. Ronald D. Spears
Hon. Jane Louise Stuart
Hon. Mary Jane Theis
Hon. Lisa R. Holder White

October 2007

I. CONFERENCE YEAR 2007 CHARGE TO THE COMMITTEE:

The Committee on Education is charged with identifying ongoing education needs for the Illinois judiciary and developing short and long term plans to address those needs. In Conference Year 2007, the Committee received a continuing charge to identify emerging legal, sociological, cultural, and technical issues that may impact decision-making and court administration and, based on these emerging issues, to recommend and develop programs for new and experienced Illinois judges.

To accomplish these goals, the Committee was charged with assessing the judicial education needs, expectations and program participation of Illinois judges, and with recommending topics and faculty for the annual New Judge Seminar, Seminar Series, Education Conference and the Advanced Judicial Academy. The Committee also was charged with the review and recommendation of judicial education programs offered by organizations and entities other than the Supreme Court, to be approved for the award of continuing judicial education credit.

To achieve its overall charge, several specific activities and priorities were established at the beginning of the Conference Year, as follows:

- A. In collaboration with the Administrative Office of the Illinois Courts, oversee preparation for the 30 hour curriculum for Education Conference 2008, in accordance with the Court's Minimum Continuing Judicial Education requirements;
- B. Oversee preparation of comprehensive judicial benchbooks in each of six core curriculum areas, including civil law and procedure, criminal law and procedure, evidence, family law and procedure, traffic law/DUI issues and domestic violence law and procedure;.
- C. Implement the plan developed in Conference Year 2006 for enhanced identification, recruitment and preparation of judicial education faculty members in each of the recommended core curriculum areas;
- D. Continue development of plans for advanced use of technology to deliver judicial education programs and resources, including web-casting, web archiving, CD and DVD tutorials and other "distance learning" options and provision of benchbooks through electronic media;
- E. Undertake any such other projects or initiatives that are consistent with the Committee charge.

II. CONFERENCE YEAR 2007 ACTIVITIES AND OUTCOMES

A. *Enhanced Curriculum Development in Preparation for Education Conference 2008*

Overview

In 2006, the Committee was asked by the Supreme Court to implement the Minimum Continuing Judicial Education (MCJE) provisions adopted for all Circuit, Associate and Appellate judges, through the presentation of an expanded 30-hour Education Conference in alternate years, beginning in 2008. Under the Court's mandate, the expanded Education Conference will include a minimum of four hours of content addressing judicial conduct, ethics and professionalism issues

and will ensure that all Illinois judges attain a minimum of 30 hours of continuing judicial education in each two year period, similar to the Minimum Continuing Legal Education requirements promulgated for Illinois attorneys. In adopting these provisions, the Court noted that it intends not only to ensure that Illinois judges attain minimum continuing judicial education hours, but also to ensure that judges have access to resources developed specifically for the state's judiciary. To that end, the Court charged the Committee on Education with developing an expanded conference which meets the ongoing judicial education needs of both trial court and appellate judges.

Goals for Education Conference 2008

To achieve this charge, the Committee established the Education Conference/Seminar Series Workgroup to develop a plan and timeline to implement the mandates for Education Conference 2008 and the Court's MCJE provisions. This Workgroup was asked to recommend any improvements needed to the curriculum, planning and delivery of the Education Conference and to develop a "core curriculum" template and enhanced planning process for the program. As noted in the 2006 Committee report, the Workgroup began its efforts by analyzing both the 2004 and 2006 Judicial Education Needs Assessment results as well as participant evaluations of Education Conference 2006 and recent Seminar Series programs. Based on that feedback from Illinois judges, the Workgroup recommended, and the Committee concurred, that the curriculum for Education Conference 2008 must include the following elements:

- Both "basic" and "advanced" sessions, to provide judges an opportunity to choose among sessions and customize a curriculum which meets their judicial education needs and experience levels with each topic;
- Interactive techniques, application and "problem-solving" elements, which enable judges to address "real-life" situations with their colleagues, while learning different perspectives and approaches and applying new information and skills to their work;
- Varied session lengths and types, based on the scope and complexity of the topics taught;
- Opportunities to learn from experts and practitioners in other fields on clinical topics related to a judge's work; and
- Concrete ties between sessions, the objectives for those sessions and the work of Illinois judges.

Curriculum Development

Based on these goals, the Committee and the Administrative Office worked together to design and use a new curriculum development model which, for each of the core curriculum areas (civil law, criminal law, juvenile law, family law, evidence and ethics/judicial conduct), asks and answers the following questions:

- In these cases, what are the judge's key *responsibilities, decisions and tasks*?
- For each area of major responsibilities or decisions, what *knowledge* is needed (including legal knowledge, specialized knowledge, information on related fields, etc.)?
- What *judicial skills* are needed (including case management, communication strategies, settlement skills, etc.)?
- What *ethics and/or judicial conduct* issues arise in these cases?
- Are there *specialized or difficult issues* which must be addressed in these cases, such as *pro se* litigation, indigent litigants, case management challenges, media issues, etc.?
- Is there *information from related fields* which would assist judges in handling these cases?

Session Development

Then, based upon consideration of these questions, the Committee developed specific sessions and courses for inclusion in the 2008 Education Conference curriculum. Committee members considered the overall goals for the curriculum, the responsibilities of judges in each case type and the knowledge and skills needed for each major judicial activity and developed individual session worksheets based on the following questions:

- What are the primary learning *objectives* for this session? What key things will judges *know* or be able *to do* as a result of this session?
- What *key topics* and subtopics must be addressed? Which topics are beyond the scope of the session and should be excluded or covered in other sessions?
- What is the *targeted experience or skill level* for this session (including entry level/refresher, advanced/experienced or updates/emerging issues)?
- What are the suggested *teaching methods* to achieve this goal?
- How many and what type of *faculty* (knowledge, skills, experience and geographical composition) are needed to teach his session?
- What *session length* will achieve the goals established?

Schedule Development

Once the Committee developed each session in accordance with the process described above, the individual sessions were merged to create a schedule for the 4-day conference which allows maximum flexibility for attendees to choose the topics and sessions that will most benefit

them, while minimizing conflicts among related sessions and utilizing the conference site most effectively. The Supreme Court has approved the recommended topics and faculty and planning for the January 29 - February 1 and March 4 - March 7, 2008 programs is fully underway.

B. *Preparation of Comprehensive Judicial Benchbooks in Six Core Curriculum Areas*

Overview

As reported in 2006, the 2004 and 2006 Judicial Education Needs Assessments conducted by the Committee clearly indicated that Illinois judges supported and desired the development of judicial education materials in a “benchbook” format. The Committee convened a Reference Materials Workgroup to further analyze the need for reference material and develop recommendations to meet those needs. In 2007, the Workgroup transitioned governance of the benchbook projects to an Editorial Board comprised of seven Committee members charged with overseeing all phases of benchbook planning, drafting, editing and finalization for print.

The Workgroup, Board and Administrative Office developed detailed plans, methods and timelines to achieve the following goals:

- Six comprehensive benchbooks – in the areas of civil law and procedure, criminal law and procedure, evidence, family law, traffic law/DUI and domestic violence – prepared by and for the exclusive use of Illinois judges;
- Each book containing materials such as case law outlines, checklists and other reference tools highly valued by Illinois judges;
- Each book well-organized and containing a detailed, user-friendly index to maximize utility with consistent formatting, organization and content among the books; and
- Content and format designed to facilitate transition from “paper-based” reference documents, to resources that can be provided to judges on CD-ROM and/or through the internet, in accordance with the Court’s charge to the Committee to enhance the use of technology to deliver judicial education resources.

Project Personnel

With the approval of the Court, the Administrative Office recruited and identified Illinois law professors with expertise in these areas of law to assist with each benchbook, with the exception of the Traffic/DUI Benchbook, for which no professors could be identified. The Traffic/DUI Benchbook is being developed exclusively by judicial faculty. The professors are being guided and assisted by panels of judges appointed by the Court and designated as “writing faculty,” for the preparation of these benchbooks.

The identification and recruitment of judicial “writing faculty” is described further in the section of this report addressing the enhancement of faculty recruitment and development efforts.

Key roles of the members of the writing faculty for the benchbooks are as follows:

- The Editorial Board is comprised of COE members charged with convening meetings of the writing faculty, coordinating all phases of writing and editing of the book and ensuring that each book is prepared in accordance with the timelines and standards established for the project.
- While all reference materials will be reviewed and approved by judicial faculty, the law professors are charged with preparing the concise outlines of governing law to be contained in each benchbook. Professors are also charged with checking case citations and references and ensuring accuracy of the materials.
- Topic Editors, which generally include two trial judges and one appellate justice for each book, work closely with the law professor to select and develop the benchbook content, review and select from existing judicial-authored material for inclusion in the books, create and develop checklists and other needed practice aids, create a thorough, user-friendly index and table of contents for the book, and review and guide the work of the professor. Because the DUI/Traffic Benchbook faculty does not include a law professor, that faculty includes four trial court judges serving as Topic Editors.
- Peer Reviewers, generally consisting of two trial judges and one appellate justice for each book, are charged with reviewing the drafts of the book for accuracy of content, scope of materials and ease of use. Their suggestions are provided to the Topic Editors on an ongoing basis, for consideration in conjunction with the law professor, until the books are finalized for print. The DUI/Traffic Benchbook is utilizing contributions of four Peer Reviewers, including three trial judges and one appellate justice.

Project Status

With these writing faculties in place, Conference Year 2007 activities were then focused on drafting each benchbook in four distinct phases, as follows:

- Phase I - Defining the scope of the benchbooks: Preliminary outlines were prepared by staff for analysis and modification by each writing faculty to clearly define the scope and subtopics to be included in each book. The members of the Editorial Board worked closely together to ensure that there are no unintended gaps or redundancies between the six books. Generally, the proposed outlines were divided into "modules" and assigned to individual faculty for review and suggestions, with all tables of contents completed in the first quarter of 2007.
- Phase II - Identifying and selecting judicial-authored materials: Writing faculty and the Committee member serving as the Editorial Board member for each book reviewed all existing seminar materials to identify potentially useful items previously prepared by Illinois judges. They also reviewed any written materials submitted in response to the "faculty recruitment and call for materials" process implemented in August 2006. Current, relevant materials were provided to the law professor to assist in drafting the outlines of governing law. Phase II was completed for each benchbook in the second quarter of 2007.

- Phase III - Creating practice aids/reference tools: In this phase, the writing faculty and COE liaisons analyzed existing practice aids/reference tools identified in Phase II for purposes of selecting practice aids for inclusion in each benchbook and creating additional aids and tools to fill in gaps among the outlines of governing law where such materials were deemed appropriate. Phase III was largely completed for each benchbook in the second quarter of 2007.
- Phase IV - Writing and review of outlines: The final phase is an on-going process of writing, editing, and proofing among all members of the writing team beginning in March 2007 and continuing throughout the summer and fall until each book is completed. Once the preliminary work of Phases I and II were accomplished via in-person meetings, writing teams generally convene primarily by conference call every 30 days to report on their progress and review each “module” of material, as it is completed by the law professor. Finalized modules will be included in the final drafts of each book, for review and approval by the Editorial Board.

While the projects are highly ambitious and require significant time and work from all involved, each of the six benchbooks is scheduled for completion between October and December 2007, for circulation in conjunction with Education Conference 2008. These timeframes are intended not only to provide excellent reference materials to Illinois judges as soon as possible, but also to relieve judges teaching at Education Conference 2008 of the duty of preparing extensive reference materials in addition to their teaching responsibilities.

Following completion of the first volume of the books, the Committee may recommend that supplementary or expanded materials be developed in subsequent years or that smaller “stand-alone” benchbooks be developed on a range of additional topics. Following completion, the benchbooks will require continuous updating, similar to that conducted for the Juvenile Law Benchbook. The Committee is developing proposed mechanisms to update the benchbooks on a regular basis.

C. *Enhanced Recruitment and Preparation of Judicial Education Faculty Members*

Overview

Effective identification, recruitment and preparation of faculty for seminars is a critical component of meeting judges’ expectations for education programs and resources. The skills and effective preparation of judicial faculty determines not only whether judges choose to attend optional programs, but also whether participants fully engage in and benefit from mandatory programs such as the New Judge Seminar and Education Conference.

The Court’s adoption of MCJE provisions and the resulting expansion of Education Conference to a 30 hour curriculum greatly increased the need for skilled, knowledgeable and dedicated judges to serve as judicial education faculty. Likewise, the launching of six benchbooks projects, as discussed above, has required the services of highly knowledgeable and skilled trial and appellate judges for these intense projects. Moreover, the evolution of judicial education resources into two distinct products – education seminars/sessions and reference materials/

benchbooks – has yielded two distinct roles for judicial education faculty: that of “teaching faculty” and that of “writing faculty.” As reported in 2006, the Committee convened a Faculty Recruitment and Development Workgroup to identify effective methods to recruit, prepare and support excellent judicial education faculty for both roles. The Workgroup was charged with answering the following questions regarding faculty recruitment and development:

- How can the Committee *identify and recruit* an adequate number of judicial faculty to teach each program, for recommendation to the Court?
- How can highly skilled judges be recruited to participate in the benchbook writing projects?
- How can the Committee and Administrative Office best *prepare* these faculty members?
- How can we *support* these faculty members, through faculty development and other resources?

Project Outcomes - Faculty Recruitment

Based on this analysis, the Workgroup and Committee developed a plan for faculty recruitment in 2006 and fully implemented those plans and processes in Conference Year 2007. First, the Administrative Office and Committee circulated materials to all Illinois judges at Education Conference 2006 to ask judges to indicate interest in teaching judicial education seminars.

Next, the Administrative Office also worked with Chief Justice Thomas to distribute correspondence to all judges, in August 2006, indicating the need for skilled judicial faculty. The Chief Justice’s letter was followed by a “faculty recruitment survey” providing more detail about the opportunities to serve as faculty and the roles of these faculty, as follows:

- “Teaching Faculty” prepare and present sessions at programs such as Education Conference, the New Judge Seminar and other programs. Teaching Faculty will have limited responsibilities for creating materials, other than those which directly enhance their presentations.
- “Writing Faculty” work with law professors to create high-quality, well-organized benchbooks that will be produced independently from conferences and seminars.
- Contribution of materials prepared by judges for use in their circuits or for judicial education programs or publications was welcomed. These materials, which were considered for inclusion in the new benchbooks, included case law outlines, sample admonitions or “scripts,” checklists or other similar materials.

The survey also asked judges interested in undertaking any of these three roles to provide information about their experience in handling various types of cases and their experience and interest in teaching and/or writing materials. This data was combined with information gleaned from other sources such as past seminar faculty rosters and evaluations, faculty rosters from bar

association programs, responses to prior faculty recruitment surveys and current case assignment rosters to create detailed lists of potential faculty in each of the core curriculum areas. This database was used extensively by the Division and the Committee in developing faculty recommendations for Education Conference 2008 and the six benchbook projects.

Project Outcomes - Faculty Development & Support

With faculty recruitment and identification largely accomplished for the current program cycle, Committee efforts then turned to faculty development and preparation. In collaboration with the Judicial Education Division, the Committee substantially revised the curriculum for the annual faculty development workshop and presented an *Education Conference Orientation and Faculty Development Workshop* March 29-30, 2007. Approximately 60 judges serving as faculty attended this program. The program, which also served as the first organizational meeting for the faculty groups presenting each Education Conference session, included new components and hands-on sessions to assist all faculty – both new and experienced presenters – in delivering the types of advanced, interactive and problem-solving sessions the Education Conference must utilize to be successful. Following this program, Committee liaisons and Judicial Education Division staff have been working closely with the faculty to insure that they prepare and present sessions using the interactive and engaging methods needed, culminating in presentation of Education Conference 2008.

Because of the success of this faculty development model for Education Conference faculty, the Committee also planned and presented a revised program for all New Judge Seminar faculty as well, in July 2007. The focus of the program was presentation of interactive, challenging and skills-development sessions for new judges, to assist them in the transition to the bench. Approximately 30 judicial faculty attended this program.

The Judicial Education Division also analyzed the Program Development Guide for Judicial Education Faculty used by the Committee, faculty chairpersons and faculty members for each seminar and presented revisions to the Guide to better support faculty efforts. The revised Guide was provided to all faculty at the Faculty Development Workshop in March and at the New Judge Seminar Faculty Orientation in July and will serve as a reference guide throughout the planning for these programs. The Committee wishes to note that, among the various judicial education programs in development or presented in Conference Year 2007, more than 100 judges have contributed significant time, work and expertise for the benefit of their colleagues on the bench.

It should also be noted that the faculty development programs launched in 2007 were based substantially on the expertise and contributions of Hon. Mark Drummond, 8th Judicial Circuit, who volunteered considerable time to these judicial education efforts. The Committee wishes to acknowledge and thank Judge Drummond and all judicial education faculty for their service which greatly benefits the entire Illinois judiciary.

Project Status - Faculty Recognition

In Conference Year 2007, the Committee further developed recommendations for recognition of judges who serve as judicial education faculty. These judges dedicate significant time and effort, often after-hours, to prepare and present programs and materials. Recently expanded judicial education programs – including the adoption of a 30-hour Education Conference curriculum and launching of six benchbook projects – require a larger number of highly skilled judicial education faculty than in prior years. For these reasons, the Committee sought authorization from the Court to work with the Administrative Office to develop methods to recognize and thank judges who serve as faculty, with a focus on those judges who serve often and repeatedly. The Committee intends to continue to recognize all judicial education faculty as is done currently, with listings in seminar materials and at conferences, for example. In addition, the Committee recommended and the Court has approved enhanced recognition of faculty beginning at Education Conference 2008 and through other methods, as approved by the Court.

D. Enhanced Use of Technology to Deliver Judicial Education Programs and Resources

With escalating demands on judges' time, enhancing the use of technology in the planning, preparation and presentation of judicial education resources is increasingly important. In Conference Year 2007, the Committee and Administrative Office continued use of e-mail and list serves and conference calling to enhance communication and reduce judges' need to travel to meetings, whenever possible. Selected seminar notebooks were also provided to judges on CD-ROM, in addition to paper versions, upon request. Lastly, both content and organization of each of the six benchbooks has been designed to facilitate transition from "paper-based" reference documents, to resources that can be provided electronically to judges. The consistent formatting, clearer organization and concise content of each book is expected to greatly increase judges' interest in receiving and using these materials on CD-ROM and/or through the internet, in accordance with applicable policies and protocols.

***E. Other Projects or Initiatives Included in and Consistent with the Committee Charge
Advanced Judicial Academy***

The fourth bi-annual Advanced Judicial Academy was held in June 2007 on the campus of the University of Illinois at Springfield. The program was developed over an 18-month planning period to address the fact that, on a daily basis, judges across the state make life-altering decisions for the mentally ill and the addicted in all types of cases. These decisions affect not only the litigants, but their families, communities and, sometimes, the judge. Too often, judges must do so with little information about the origins and impact of mental illness, substance abuse and addiction and even less guidance on effective intervention and treatment options.

In a survey of Academy participants, 70% of respondents indicated that mental illness/

mental health issues arise in one quarter or more of their cases, even if not the “legal issue” to be adjudicated. 76% of respondents indicated that substance abuse/addiction issues arise in one quarter or more of their cases, even if not the “legal issue” to be adjudicated. 33% of the respondents indicated that substance abuse or addiction issues arise in *half or more* of their cases. Meanwhile, 80% of the respondents indicated that they sometimes feel as though they “really don’t know enough to intervene effectively” in the substance abuse, addiction or mental illness issues arising in their courtrooms.

The 2007 Academy examined the challenges posed by the mentally ill and substance abusers in all types of cases, including civil, criminal, family law, delinquency, child protection and other matters. It featured nationally-renowned experts in mental health, addictions, effective interventions, judicial responses and economics to help judges understand the causes, characteristics and impact of mental illness and substance abuse. Daily topics for the program include the following:

- *Day One: The nature and extent of the problems:* Day One illustrated the impact of mental illness on individuals, families, communities and courts and examined tensions between individual rights and “intrusions” into mental health care decisions. It also discussed the role of the courts in balancing personal accountability with addiction. Day One also explored the extent to which mental illness and substance abuse pervade all aspects of the courts and why the courts have become a primary “treatment provider” for the mentally ill and addicted.
- *Day Two: The origins and impact of mental illness:* Day Two focused on mental illness. Faculty and participants examined the environmental, clinical and behavioral elements of mental illness and how mental illness affects the justice system. It provided expert information about how and why mental illness develops, challenges for judges and the options for effective treatment and intervention for those with mental illness and co-occurring addictions and/or anti-social attitudes, values and beliefs.
- *Day Three: The origins and impact of addiction:* Day Three focused on the environmental, clinical and behavioral elements of substance abuse and addiction. It provided expert information about what addiction is, the effect on the user and his/her behavior, challenges for judges and the options for effective treatment and intervention. Faculty and participants discussed common perceptions of substance abuse and whether or not those perceptions are accurate. Faculty and participants also discussed the challenges addiction and substance abuse present to courts in all types of cases.
- *Day Four: Judicial intervention – what works and what doesn’t:* Day Four was designed to allow judges to apply the new knowledge they acquired about mental illness and addiction to analyze the specific types of decisions they are asked to make in a range of cases, from family law, child protection, delinquency, criminal and civil. Day Four featured an interactive session using “standardized patients” from the Southern Illinois University Medical School program to portray courtroom scenarios and to allow judges to apply the skills and strategies judges can utilize to identify issues and intervene effectively.

- *Day Five: Where do we go from here?* The final day encouraged reflection on the knowledge, skills and ideas participants developed throughout the week. It tied the main themes of the Academy together and challenged judges to identify “next steps” to utilize the knowledge and skills gained at the Academy to improve the administration of justice.

The Academy received an overall evaluation of 4.5 on a scale of 1 to 5, with overwhelmingly positive feedback from the 81 judges attending the program. Characteristic of the participant comments, one judge stated “the selection of speakers alone, by itself, was the best for any legal conference I’ve been to in 29 years and as an attorney. The importance and timeliness of the topics were ... significant for today’s trial judge. Each presentation seemed better than the one before. This was the best run legal conference I have ever attended.” Another noted, “what we learned will help us be better, more effective judges.”

The Committee wishes to thank all members of the Academy Planning Committee, which was skillfully guided in its work by Justice Michael Gallagher. Justice Gallagher and the members of the planning committee dedicated more than a year to planning and presenting an excellent program exploring effective judicial interventions with the large number of mentally ill or addicted litigants in the Illinois court system.

New Judge Seminar

The Committee also oversaw presentation of the annual New Judge Seminar in January 2007. For the third consecutive presentation, the program received an excellent overall participant rating of 4.8 on a scale of 1 to 5. Sixty-nine new judges attended the program and their evaluations indicate that the program will not only facilitate successful transition to the bench, but enhance judicial performance throughout their careers.

As previously reported, the New Judge Seminar utilizes a “skills-based” approach to assist new judges in developing the skills of successful, effective jurists while maintaining sessions on substantive law on key topics. This approach asks faculty to refrain from attempting to convey all the black letter law relevant to a particular topic, which is difficult or impossible in the given time frames. Instead, seminar faculty work with the new judges to identify the key information and knowledge new judges need and then focus on the critical skills and abilities new judges will need to develop. This curriculum approach requires faculty to include interaction, question-and-answer and problem-solving elements, whenever possible.

The program continues to include informational “kiosks” at the close of the day to provide brief, informal sessions on topics of specific interest or concern to new judges, such as conducting weddings, lingering issues from a law practice, requests to seal court files, economic interest statements and the basics of court scheduling. These informal sessions provided a small-group forum for new judges to ask questions and receive practical tips from experienced judges.

Based on the continuing success of the skills-development approach, a similar agenda and faculty pool will be utilized for the next presentation, scheduled for December 2007 in Chicago. To assist faculty in continually enhancing sessions, an advanced faculty development workshop – similar to that provided for Education Conference faculty – was provided in July for the 46 judges who serve as faculty for the New Judge Seminar.

Seminar Series

The Committee also oversaw presentation of a scaled-back seminar series to allow for planning of Education Conference 2008. In addition to the Judicial Conference programs, two seminars were conducted by the Supreme Court Committee on Capital Cases, pursuant to Supreme Court Rule 43, while the Court's Appellate Court Administrative Committee presented the annual appellate seminar, and the Administrative Office provided additional judicial education resources. Each Judicial Conference program was presented by judicial faculty appointed by the Court at the recommendation of the Committee. Faculty were assisted by staff from the Administrative Office of the Illinois Courts. The Committee wishes to thank all judicial faculty members, each of whom contributed significant time and expertise, for their contributions to continuing judicial education programs for Illinois judges. A listing of seminar topics, dates, locations, and participant totals for both Judicial Conference and non-Judicial Conference programs follows:

Topic	Date	Location	Enrollment
<i>Specialized Programs:*</i>			
Faculty Development I	March 29-30, 2007	Oak Brook	58
Faculty Development II	July 18, 2007	Chicago	31
New Judge Seminar	Jan. 29-Feb. 2, 2007	Chicago	69
Mediation Seminar	March 4-10, 2007	Chicago	39
Capital Cases: 3 rd Series	Sept. 26-27, 2006	Springfield	62
Capital Cases: 4 th Series	May 3-4, 2007	Chicago	97
Advanced Judicial Academy	June 11-15, 2007	Springfield	81
Appellate Court Conference	Sept. 26-27, 2006	Springfield	59
<i>Regional & Mini Seminars:</i>			
Cutting Edge Issues in Family Law	April 19-20, 2007	Oak Brook	44
DUI Offenders in the Courts	May 17-18, 2007	Springfield	39
Juvenile Sex Offender Management	November 16, 2006	Chicago	20
Administrative Issues for Judges	Rescheduled	Chicago	

** Capital Cases Seminars are presented, pursuant to Supreme Court Rule 43, by the Supreme Court Committee on Capital Cases. The March 2007 Mediation Seminar was presented by the Administrative Office of the Illinois Courts. The Appellate Seminar is presented by the Supreme Court Appellate Court Administrative Committee.*

Lending Library

The Resource Lending Library operated by the Administrative Office continues to serve as a valued judicial education resource. Loan material available through the library includes videotapes, audiotapes and publications. Permanent use items include seminar reading materials, benchbooks, manuals, and other materials.

- **Items Provided:** During Fiscal Year 2007 a total of 906 loan and permanent use items were disseminated independent of seminars, as compared to the 734 items disseminated in 2006. 881 of the items were permanent use materials, comprised primarily of seminar reading materials, manuals and other materials prepared by and for Illinois judges. 25 items were provided on loan to 20 judges. Loan materials include videotapes, audiotapes, publications and CD-ROMs.
- **Patrons:** During Fiscal Year 2007, 218 judges requested one or more items from the library, compared to 335 judges in Fiscal Year 2006. 36% (81) of these judges were from Cook County while 63% (136) were from the other circuits. 99.5% (217) of the patrons were trial judges.

III. COMMITTEE RECOMMENDATIONS AND FUTURE ACTIVITIES

The members of the Committee continue to believe that providing ongoing judicial education is an essential function of the justice system. The importance of judicial education is recognized in the Court's Comprehensive Judicial Education Plan for Illinois Judges, which states:

"It is an obligation of office that each judge in Illinois work to attain, maintain and advance judicial competency. Canon 3 of the Code of Judicial Conduct (Illinois Supreme Court Rule 63) states that a judge should 'be faithful to the law and maintain professional competence in it' and 'maintain professional competence in judicial administration.' Judicial education is a primary means of advancing judicial competency."
(Comprehensive Judicial Education Plan for Illinois Judges, Section I, page 1)

The Committee requests that its work to develop ongoing judicial education resources for Illinois judges be continued in Conference Year 2008, to assist in the transition of new judges to the bench and to continue to provide challenging, meaningful judicial education resources to all Illinois judges through the implementation of the Court's Minimum Continuing Judicial Education provisions and through optional programs and resources.

Specifically, the Committee requests that the Court and the Judicial Conference continue support of planning for Education Conference 2008, an Advanced Judicial Academy in 2009, New Judges Seminars and future Seminar Series. As in Conference Year 2006, the Committee also requests the support of the Court and the Conference in the continuing efforts to recruit and prepare excellent Teaching and Writing Faculty for future programs and requests the support of Chief Circuit Judges to facilitate participation of judges from their circuits as both faculty for, and participants in, Illinois' judicial education programs.

**ANNUAL REPORT
OF THE
STUDY COMMITTEE ON COMPLEX LITIGATION
TO THE ILLINOIS JUDICIAL CONFERENCE**

Hon. Mary Ellen Coghlan, Chair

Hon. Eugene P. Daugherty
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Hon. Dennis J. Porter

Mr. William R. Quinlan, Advisor
Hon. Darryl B. Simko
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October 2007

I. STATEMENT ON COMMITTEE CONTINUATION

The Study Committee on Complex Litigation is made up of circuit court and appellate court judges with considerable experience in either civil or criminal complex litigation cases. The stated purpose of the Committee is to make recommendations, through proposed rules or other procedures, to reduce the cost and delay attendant to lengthy civil and criminal trials with multiple parties or issues and thereby improve the administration of justice in complex cases throughout Illinois. The Committee has drafted and continues to maintain the *Illinois Manual for Complex Civil Litigation* and the *Illinois Manual for Complex Criminal Litigation*. In past years, the Committee has focused its attention on creating the manuals and providing yearly updates and supplements to both volumes.

For Conference Year 2007, the Supreme Court charge to the Committee included continuation of one project/priority from Conference Year 2006 and several new projects/priorities for Conference Year 2007. First, the Committee was charged with finalization of the Alternative Dispute Resolution chapter for the Civil Manual, which the Committee had initially drafted in Conference Year 2006. For the current Conference year, the Committee was asked to (1) research and study practical considerations in handling complex insurance cases, (2) review the Civil Manual to determine if text should be included with regard to construction cases, and (3) undertake any other projects consistent with the Committee's charge.

The Committee believes that its contributions are valuable to the mission of the Conference and provide a unique source of information for judges who hear complex cases. As such, the Committee requests that it be continued as a full standing committee of the Illinois Judicial Conference in order to complete its work on the important projects identified in the Committee's charge.

II. SUMMARY OF COMMITTEE ACTIVITIES

As noted above, in addition to finalizing the ADR Chapter, which was carried over from Conference Year 2006, and the general charge for Conference Year 2007, the Supreme Court identified several projects/priorities for the Committee for this Conference year:

1. Research and study practical considerations in handling complex insurance cases, particularly in the context of declaratory judgements;
2. Review the Civil Manual to determine if text should be added with regard to construction cases; and
3. Undertake any such other projects or initiatives that are consistent with the Committee charge.

The following offers a brief summary of the Committee's work during this Conference year and the status of projects/priorities for Conference Years 2006 and 2007:

A. Conference Year 2006 Continued Projects/Priorities

Finalization of the Alternative Dispute Resolution Chapter for the Civil Manual

During Conference Year 2006, the Committee was requested to develop an Alternative Dispute Resolution (ADR) Section for the *Illinois Manual for Complex Civil Litigation*. The Committee drafted the chapter during the 2006 Conference year and forwarded it to the Alternative Dispute Resolution Coordinating Committee of the Illinois Judicial Conference in October 2006.

The ADR Committee returned the ADR chapter to the Complex Litigation Committee in June 2007 with several recommended changes and additions. The Complex Litigation Committee agreed to the changes and adopted them into the text of the ADR chapter. Among other things, the ADR Committee added text which recommends that the judge explore the settlement history of the case, then inquire if the parties are willing to have a meaningful settlement conference. The ADR Committee further recommended numerous edits throughout the chapter for conciseness and clarity which further enhanced the text with that Committee's expertise in the various ADR processes. The final version of the ADR chapter will be included in the revised Civil Manual which will be issued later this year.

B. Conference Year 2007 Projects/Priorities

1. Research and Study Practical Considerations in Handling Complex Insurance Cases

As part of the projects/priorities identified in the Committee's 2007 charge, the Supreme Court requested that the Complex Litigation Committee research and study practical considerations in handling complex insurance cases, particularly in the context of declaratory judgements. As such, the Committee members reviewed the text of the Civil Manual. The members considered the issue and determined that no additional text would be included during this year. However, the Committee would revisit the issue from time to time, particularly if new supreme court or appellate court dispositions would require reconsideration of, or additions to, the current text.

2. Reviewing the Civil Manual with Regard to Construction Cases

As part of the Conference Year 2007 charge, the Committee also reviewed the Civil Manual to determine if text should be added with regard to construction cases. The Committee reviewed the Civil Manual and noted that, while the current text does not include a section on construction cases, such cases are discussed in the ADR chapter, which will be added to the Civil Manual later this year. The section on construction cases notes that ADR has long been used in the construction process because it helps to avoid costly delays in construction and that

many construction contracts provide some type of ADR provision. This section also briefly discusses the pilot program for the arbitration of mechanic's lien cases established in the Circuit Court of Cook County in 1998.

The Committee determined that any additional text to be added on the issue of construction cases would be put over to the next Conference year.

3. Updates for the Civil and Criminal Manuals

As in previous years, the Committee continued to revise and update both the Civil and Criminal Manuals. The members also reviewed the forms contained in the appendixes to both manuals to determine that they are current and remain good law, and to consider whether additional forms should be included.

i. Civil Manual. The first edition of the *Illinois Manual for Complex Civil Litigation* was completed in 1991. Subsequently, the Committee produced revised editions in 1994 and 1997, the last of which continues to be updated each year. Over 200 judges have received copies of the manual, and it has been used as the basic text for a judicial seminar on complex litigation. The book covers many issues that can arise in a complicated civil case, from initial case management through discovery, settlement, trial, and appeal. Chapters also address special and recurring problems of complex cases, including class action proceedings, parallel actions in federal court and the courts of other states, and mass tort litigation. The manual seeks to provide practical advice for handling cases that risk becoming protracted and consuming disproportionate amounts of judicial resources.

ii. Criminal Manual. The first edition of the *Illinois Manual for Complex Criminal Litigation* appeared in 1997. Its thirteen original chapters cover topics such as identifying complex criminal litigation, handling complex grand jury proceedings, and managing the pretrial, trial, and sentencing phases of complex criminal cases. Last year, supplements on the following topics were included in the main volume of the Criminal Manual: (1) complex post-conviction review proceedings and sentencing; (2) *Apprendi v. New Jersey*, 530 U.S. 466 (2000); (3) jury selection and *voir dire*; (4) additional sentencing issues; (5) double jeopardy; (6) prosecutorial conduct; and (7) inconsistent verdicts.

iii. Appendix Forms - Civil and Criminal Manual. During Conference Year 2007, the Committee reviewed the forms contained in the Civil and Criminal Manual Appendixes and made several changes. To the Civil Manual forms, the Committee added "Procedures Concerning Settlement of Minors' and Disabled Persons' Personal Injury and Wrongful Death Cases." These forms outline procedures to be followed in handling minors' and disabled persons' personal injury cases and actions brought under

the Wrongful Death Act. The Committee also included sample forms to be utilized in these types of cases. To the Criminal Manual forms, the Committee added new text with regard to Supreme Court Rule 605 amendments concerning negotiated pleas of guilty. The Committee also added "Suggested Judge's Death Penalty Admonishments and *Voir Dire* Instructions."

The evolving nature of the law and practice regarding complex litigation requires that the manuals be continually updated. In the past, the Committee created supplements on various civil and criminal topics with current information on the many subjects that judges confront in complex cases. The supplements were added into the main volumes of the manuals so that the reader may more easily access and use the material. The Committee will continue this practice with all future topics to be added to the manuals. During the 2007 Judicial Conference Year, the Committee members continued to monitor caselaw, rule changes, and legislation and cull new information specific to complex litigation in order to integrate it into the Civil and Criminal Manuals.

4. Manual in CD-ROM Format. Both the Civil and Criminal Manuals will continue to be available in CD-ROM format, which affords users the convenience of downloading, hyperlink and search capabilities. Additionally, the forms in the Appendixes to both manuals will be available electronically so that judges will have easy access to form orders in certain types of complex cases.

III. PROPOSED COMMITTEE ACTIVITIES FOR THE NEXT CONFERENCE YEAR

During the next Conference year, the Committee plans to continue monitoring and discussing complex litigation cases, rule changes, and legislation in order to update and supplement the Civil and Criminal Manuals, and the forms to the manuals, and keep them current. The revised manuals will be available later this year. As before, the Committee will integrate all new material into the main volumes, as opposed to the previous "pocket part" format, to further facilitate use of the manuals.

The Committee also discussed the Criminal Law and Procedure benchbook currently being drafted by judges and professors working with the Illinois Judicial Conference Committee on Education. The Complex Litigation members determined that, after the benchbook is completed, the Complex Litigation Committee may need to make certain changes to its Criminal Manual to assure that it sustains its purpose as a "how to" guide for judges handling protracted cases, and that it remains distinctly different from a criminal law benchbook.

IV. RECOMMENDATIONS

The Committee is making no recommendations to the Conference at this time.

**ANNUAL REPORT
OF THE
STUDY COMMITTEE ON JUVENILE JUSTICE
TO THE ILLINOIS JUDICIAL CONFERENCE**

Hon. C. Stanley Austin, Chair

Hon. Patricia Martin Bishop
Hon. Susan Fox Gillis
Hon. Diane M. Lagoski
Hon. John R. McClean, Jr.
Hon. William G. Schwartz

Hon. Karen G. Shields
Hon. David W. Slater
Hon. Robert J. Steigmann
Hon. Lori M. Wolfson
Prof. Lawrence Schlam, Reporter

October 2007

I. STATEMENT ON COMMITTEE CONTINUATION

It is the function of the Study Committee on Juvenile Justice (Committee) to review and assess practices related to the processing of juvenile delinquency, abuse, neglect, and dependency cases. The Committee's stated purpose is to provide judges with current developments in the processing of juvenile court cases through up-dating and distributing the *Illinois Juvenile Law Benchbook*.

The Juvenile Law Benchbook, which consists of Volumes I and II, is designed to provide judges with a practical and convenient guide to procedural, evidentiary, and substantive issues arising in juvenile court proceedings. Each volume is organized transactionally, whereby issues are identified and discussed in the order in which they arise during the course of a case. In general, the discussions begin with an examination of how a case arrives in juvenile court and ends with post-dispositional matters such as termination of parental rights proceedings, termination of wardship, and appeal. The appendix in each volume contains procedural checklists and sample forms that can be used or adapted to meet the needs of each judge and the requirements of a particular county/circuit. Each volume is intended to provide judges with an overview of juvenile court proceedings, to direct them to relevant statutory provisions and case law, to highlight recent amendments, and to identify areas that present special challenges. Historically, the Committee has focused its attention on creating and updating this benchbook, each volume of which is updated every other year.

The Committee therefore believes that its work in providing instruction on the continually developing area of juvenile law is a valuable source of information for judges who preside over juvenile matters in Illinois. For this reason, the Committee requests that it be permitted to continue its work in Conference Year 2008.

II. SUMMARY OF COMMITTEE ACTIVITIES

A. Committee Charge

The Committee is charged with studying and making recommendations on the processing of juvenile delinquency, abuse, neglect, and dependency cases. The Committee also is charged with preparing supplemental updates to the juvenile law benchbook for distribution to judges presiding over juvenile proceedings. Finally, the Committee's charge includes making recommendations regarding training for juvenile court judges on emerging issues of juvenile law identified during the course of the Committee's work on the benchbook or during Committee meetings. This charge provides the framework to guide the Committee's work during the Conference year.

Consistent with its charge, during this Conference year, the Committee will complete its update of Volume I of the Juvenile Law Benchbook. Volume I, published in 2000 and updated in 2005, addresses proceedings brought in juvenile court that involve allegations of delinquency, addicted minors, minors requiring authoritative intervention (MRAI) and truant minors in need of

supervision. It also addresses confidentiality and juvenile court records. In preparing the update to Volume I, the Committee researched statutory changes and relevant case law through June 2007. The Committee reasonably anticipates that its update to Volume I will be available for the New Judge Seminar in December 2007. Through its work on the benchbook, along with member participation in various juvenile law seminars, the Committee remains interested in the education of judges in juvenile issues.

The Committee also remains interested in other matters affecting juvenile law, including the status of pending juvenile law legislation and the implementation of Illinois' Program Improvement Plan in response to the federal Child and Family Services Review.

B. Conference Year 2006 Continued Projects/Priorities

The following subjects represent the projects/priorities assigned by the Court to the Committee for consideration in Conference Year 2006, which were extended into Conference Year 2007.

1. Confidentiality

The Committee was asked to review and make recommendations regarding the scope of confidentiality in juvenile matters. The Committee addressed this project by investigating the extent of statutes and case law regarding confidentiality in juvenile court proceedings. In particular, the Committee focused on the issue of confidentiality of personal identity.

In Conference Year 2006, the Committee formed a subcommittee, which researched and drafted provisions on confidentiality for inclusion in Volume II of the benchbook. The new provisions address issues as they relate to the scope of confidentiality for abuse, neglect, and dependency cases, including access to juvenile court proceedings/records by the press and for research purposes.

In Conference Year 2007, the Committee will complete this project by updating the existing section on confidentiality contained in Volume I of the benchbook, which discusses access to juvenile court hearings and to juvenile court records in the context of delinquency matters. In conjunction with its concern for confidentiality of personal identity, the Committee considered Supreme Court Rule 660, which provides that, in all appeals filed from proceedings under the Juvenile Court Act, the minor shall be identified by first name and last initial or by initials only. The Committee is in favor of utilizing the same procedure at the trial court level in cases involving notice by publication to parents in juvenile matters.

2. "Problem-Solving Courts"

The Court requested that the Committee study, examine and report on the efficacy of "Problem-Solving Courts" in the management of juvenile delinquency, abuse, neglect, and dependency cases. In Conference Year 2006, Judge Austin, on behalf of the Committee, sent a

letter to the chief judges in the state to canvass the existence/nature of any specialty courts handling juvenile cases. Due to the limited responses received, the Committee considered the results of the problem-solving courts survey that was prepared by the IJC Criminal Law and Probation Administration Committee. That survey rendered information on juvenile problem-solving courts from Cook County, Kane County, Peoria County and Will County. The Committee formed a subcommittee to review the referenced survey responses and to follow up with the judges and the probation departments responding to the survey about additional details, including the number of juveniles in the program and its effectiveness. The Committee is in the process of assessing the efficacy of the four juvenile problem-solving courts and will prepare a report for the Court's consideration.

C. Conference Year 2007 Projects/Priorities

In Conference Year 2007, the Committee was assigned the project of gathering information from each circuit court regarding their need for mental health evaluations and services for juveniles. In addressing this project, the Committee is preparing a survey, in the form of a questionnaire, whereby each circuit is asked to describe the nature and availability of mental health evaluations/services it offers for juveniles. Each circuit offering such services also is asked to provide some statistical information and to comment on the adequacy of its services and application of assessment results in rendering a dispositional order. It is the Committee's goal to prepare a reference list of mental health services available for juveniles for the Court's consideration.

III. PROPOSED COMMITTEE ACTIVITIES FOR THE NEXT CONFERENCE YEAR

During the 2008 Conference year, the Committee seeks to update Volume II of the *Illinois Juvenile Law Benchbook*, which addresses juvenile court proceedings involving allegations of abuse, neglect and dependency. The Committee further requests that it be permitted to continue its review of mental health services available for juveniles in Illinois.

IV. RECOMMENDATIONS

The Committee is making no recommendations to the Conference at this time.

Alternative Dispute Resolution Coordinating Committee

CONFERENCE YEAR 2007

Statement of Purpose:

The Committee shall examine the range of civil and criminal dispute resolution processes, utilized in other jurisdictions, convene alternative dispute resolution program administrators for the purpose of facilitating informational exchanges to promote program efficacy, and monitor the progress of all court-sponsored alternative dispute resolution programs.

General Charge:

The Committee shall examine the range of civil and criminal dispute resolution processes utilized in other jurisdictions and make recommendations regarding programs and various types of dispute resolution techniques suitable for adoption in Illinois, including methods for ongoing evaluation. The Committee shall develop recommendations for implementing and administering dispute resolution programs that remain affordable, appropriate, and provide an efficient alternative to protracted litigation. The Committee shall monitor and assess on a continuous basis the performance of circuit court dispute resolution programs approved by the Supreme Court and make regular reports regarding their operations. The Committee shall develop uniform reporting requirements for circuit courts in the collection and monitoring of statistical information for alternative dispute resolution cases. The Committee will also examine and develop training programs in ADR techniques and practices to promote consistency in ADR services. The Committee shall also explore the feasibility of expanding ADR into other courts.

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Advisors

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 Hon. John G. Laurie, Ret.

Kent Lawrence

COMMITTEE STAFF LIAISON: Anthony Trapani

Automation and Technology Committee

CONFERENCE YEAR 2007

Statement of Purpose:

The Automation and Technology Committee shall provide consultation, guidance, and recommendations regarding standards, policies and procedures relating to the use of technology and automation within the judicial branch.

General Charge:

The Committee shall develop general guidelines which promote the effective and efficient use of technology and automation in the trial courts including recommendations for statewide standards, protocols, or procedures. The Committee shall analyze and develop recommendations related to rules and statutory changes that will manage the use of technology within the courts. The Committee's work also includes the review and evaluation of technology applications and their impact on the operation and workflow of the court. The Committee will also research and recommend response protocols to resolve security issues which may affect the use of technology.

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Advisors

None

COMMITTEE STAFF LIAISON: Skip Robertson

Committee on Criminal Law and Probation Administration

CONFERENCE YEAR 2007

Statement of Purpose:

To advise the Judicial Conference in matters affecting criminal law and procedures and the administration of probation services.

General Charge:

The Committee shall review and make recommendations on matters affecting the administration of criminal law and shall monitor, evaluate and provide recommendations on issues affecting the probation system. The Committee will review, analyze and examine new issues arising out of legislation and case law that impact criminal law and procedures and probation resources and operations.

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Associate Members

None

Advisors

None

COMMITTEE STAFF LIAISONS: Cheryl Barrett & B. Paul Taylor

Committee on Discovery Procedures

CONFERENCE YEAR 2007

Statement of Purpose:

The Committee on Discovery Procedures shall review and assess discovery devices used in Illinois, with the goal of making recommendations to expedite discovery and to eliminate any abuses of the discovery process.

General Charge:

The Committee shall study and make recommendations on the discovery devices used in Illinois including, but not limited to, depositions, interrogatories, requests for production of documents or tangible things or inspection of real property, disclosures of expert witnesses, and requests for admission. The Committee shall investigate and make recommendations on innovative means of expediting pretrial discovery and ending any abuses of the discovery process so as to promote early settlement discussions and to encourage civility among attorneys. The Committee will also review and make recommendations on proposals concerning discovery matters submitted by the Supreme Court Rules Committee, other Committees or other sources.

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Paul E. Root

Eugene I. Pavalon

COMMITTEE STAFF LIAISON: Jan B. Zekich

Committee on Education

CONFERENCE YEAR 2007

Statement of Purpose:

The Committee shall identify education needs for the Illinois judiciary and develop short and long term plans to address these needs.

General Charge:

The Committee shall develop and recommend a “core” judicial education curriculum for Illinois judges which identifies the key judicial education topics and issues to be addressed through the judicial education activities each Conference year. This will include identifying emerging legal, sociological, cultural, and technical issues that may impact decision making and court administration by Illinois judges. Based on the core curriculum, the Committee shall recommend and develop programs for new and experienced Illinois Judges. To do so, the Committee shall recommend topics and faculty for the annual New Judge Seminar and Seminar Series, and, in alternate years, the Education Conference and the Advanced Judicial Academy. The Committee will also assess the judicial education needs, expectations and program participation of Illinois judges. The Committee shall also review and recommend judicial education programs, offered by organizations and entities other than the Supreme Court, to be approved for the award of continuing judicial education credits.

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Advisors

None

COMMITTEE STAFF LIAISON: Lisa Jacobs

Study Committee on Complex Litigation

CONFERENCE YEAR 2007

Statement of Purpose:

The Study Committee shall make recommendations, through proposed rules or other procedures, to reduce the cost and delay attendant to lengthy civil and criminal trials with multiple parties or issues. The Committee shall provide yearly updates to its Manual for Complex Litigation (Civil and Criminal).

General Charge:

The Committee shall prepare revisions, updates, and new topics as necessary, for the Manual for Complex Litigation, including the maintenance of forms accurate to the Manual Appendix. Additionally, the Committee will study and make recommendations regarding the development of a forum for judges to disseminate information regarding practices and procedures that have successfully brought complex cases to fair and prompt disposition. The Committee shall study and make recommendations regarding the management of multiple overlapping litigation and other problems commonly associated with complex litigation.

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Advisors

William R. Quinlan

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Study Committee on Juvenile Justice

CONFERENCE YEAR 2007

Statement of Purpose:

The Study Committee on Juvenile Justice shall review and assess practices related to the processing of juvenile delinquency, abuse, neglect, and dependency cases. The Committee shall provide judges with current developments in the processing of juvenile court cases through up-dating and distributing the juvenile law benchbook (Volumes I and II).

General Charge:

The Committee shall study and make recommendations on the processing of juvenile delinquency, abuse, neglect, and dependency cases; prepare supplemental updates to the juvenile law benchbooks for distribution to judges reviewing such proceedings brought in juvenile court; and, make recommendations regarding training for juvenile court judges on emerging issues of juvenile law identified during the course of the Committee's work on the benchbook or during Committee meetings.

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Associate Members

None

Advisors

Hon. Patricia Martin Bishop

Lawrence Schlam, Professor-Reporter

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