

**REPORT
OF THE
ILLINOIS JUDICIAL
CONFERENCE
2011**



2011 REPORT

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2011 REPORT

ROSTER OF JUDICIAL CONFERENCE OF ILLINOIS

The following are members of the Judicial Conference of Illinois during the 2011 Conference year.

SUPREME COURT

Hon. Thomas L. Kilbride
Chief Justice
Third Judicial District

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

Hon. Robert R. Thomas
Supreme Court Justice
Second 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

Hon. Mary Jane Theis
Supreme Court Justice
First Judicial District

Appellate Court

Hon. Thomas E. Hoffman
Chairman, Executive Committee
First District Appellate Court

Hon. James A. Knecht
Presiding Judge
Fourth District Appellate Court

Hon. Ann B. Jorgensen
Presiding Judge
Second District Appellate Court

Hon. Melissa A. Chapman
Presiding Judge
Fifth District Appellate Court

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

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APPOINTEES

Hon. Robert J. Anderson
Circuit Judge
Eighteenth Judicial Circuit

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

Hon. Dinah J. Archambeault
Associate Judge
Twelfth Judicial Circuit

Hon. Nancy Jo Arnold
Circuit Judge
Circuit Court of Cook County

Hon. Patricia Banks
Circuit Judge
Circuit Court of Cook County

Hon. John A. Barsanti
Circuit Judge
Sixteenth Judicial Circuit

Hon. Jennifer H. Bauknecht
Circuit Judge
Eleventh Judicial Circuit

William J. Becker
Associate Judge
Fourth Judicial Circuit

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

Hon. Liam C. Brennan
Associate Judge
Eighteenth Judicial Circuit

Hon. George Bridges
Associate Judge
Nineteenth Judicial Circuit

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

Hon. Ann Callis
Chief Judge
Third Judicial Circuit

Hon. Diane Gordon Cannon
Circuit Judge
Circuit Court of Cook County

Hon. John E. Childress
Associate Judge
Seventh Judicial Circuit

Hon. LaGuina Clay-Clark
Associate Judge
Circuit Court of Cook County

Hon. Neil H. Cohen
Associate Judge
Circuit Court of Cook County

Hon. Maureen E. Connors
Appellate Court Judge
First Appellate Court District

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

Hon. Eugene P. Daugherty
Circuit Judge
Thirteenth Judicial Circuit

Hon. Thomas M. Donnelly
Associate Judge
Circuit Court of Cook County

Hon. Frank R. Fuhr
Circuit Judge
Fourteenth Judicial Circuit

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

Hon. Mark S. Goodwin
Associate Judge
Fifth Judicial Circuit

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

Hon. Charles McRae Leonhard
Associate Judge
Sixth Judicial Circuit

Hon. Katherine Gorman Hubler
Associate Judge
Tenth Judicial Circuit

Hon. Vincent J. Lopinot
Associate Judge
Twentieth Judicial Circuit

Hon. Daniel P. Guerin
Circuit Judge
Eighteenth Judicial Circuit

Hon. Jerelyn D. Maher
Associate Judge
Tenth Judicial Circuit

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

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

Hon. Bobby G. Hardwick
Circuit Judge
Eighth Judicial Circuit

Hon. Leonard Murray
Associate Judge
Circuit Court of Cook County

Hon. Kimbara G. Harrell
Associate Judge
Second Judicial Circuit

Hon. Lewis Nixon
Circuit Judge
Circuit Court of Cook County

Hon. Janet R. Holmgren
Chief Judge
Seventeenth Judicial Circuit

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

Hon. William H. Hooks
Circuit Judge
Circuit Court of Cook County

Hon. David K. Overstreet
Circuit Judge
Second Judicial Circuit

Hon. Robert G. Kleeman
Associate Judge
Eighteenth Judicial Circuit

Hon. Michael Panter
Associate Judge
Circuit Court of Cook County

Hon. Kimberly G. Koester
Circuit Judge
Fourth Judicial Circuit

Hon. Barbara N. Petrunaro
Circuit Judge
Twelfth Judicial Circuit

Hon. Paul G. Lawrence
Circuit Judge
Eleventh Judicial Circuit

Hon. Kenneth L. Popejoy
Circuit Judge
Eighteenth Judicial Circuit

Hon. Marjorie C. Laws
Circuit Judge
Circuit Court of Cook County

Hon. Joan E. Powell
Circuit Judge
Circuit Court of Cook County

Hon. Carolyn Quinn
Associate Judge
Circuit Court of Cook County

Hon. Charles V. Romani, Jr.
Circuit Judge
Third Judicial Circuit

Hon. William G. Schwartz
Circuit Judge
First Judicial Circuit

Hon. Mitchell K. Shick
Circuit Judge
Fifth Judicial Circuit

Hon. Domenica A. Stephenson
Associate Judge
Circuit Court of Cook County

Hon. Carl Anthony Walker
Circuit Judge
Circuit Court of Cook County

Hon. Thaddeus Wilson
Circuit Judge
Circuit Court of Cook County

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

MEMBERS OF EXECUTIVE COMMITTEE

Hon. Thomas L. Kilbride, Chairman
Chief Justice
Third Judicial District

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

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

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

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

Hon. Mark H. Clarke
Chief Judge
First Judicial Circuit

Hon. Elizabeth A. Robb
Chief Judge
Eleventh Judicial Circuit

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

Hon. Christopher C. Starck
Circuit Judge
Nineteenth Judicial Circuit

Hon. Lynn M. Egan
Circuit Judge
Circuit Court of Cook County

Hon. John O. Steele
Appellate Court Judge
First Appellate Court District

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

Hon. Milton S. Wharton
Circuit Judge
Twentieth Judicial Circuit

Hon. Robert G. Gibson
Circuit Judge
Eighteenth Judicial Circuit

Hon. Lisa Holder White
Circuit Judge
Sixth Judicial Circuit

2011 REPORT

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**

**Hotel Sax
Chicago, Illinois**

A G E N D A

Thursday, October 13, 2011

- 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 Thomas L. Kilbride, Chief Justice, Supreme Court of Illinois
- 11:30 - 12:30 p.m. Luncheon**
- 12:30 - 4:30 p.m. Plenary Session**
- *Call to Order by Honorable Thomas L. Kilbride, Chief Justice*
 - *Presentation of Consent Calendar*
 - *Presentation of Committee Reports & Discussion*
 - Study Committee on Complex Litigation*
 - Committee on Criminal Law and Probation Administration*
 - Study Committee on Juvenile Justice*
 - Committee on Education*
 - *Break; Committee Reports & Discussion Resume*
 - Alternative Dispute Resolution Coordinating Committee*
 - Committee on Discovery Procedures*
 - Automation and Technology Committee*
- (Moderators: Hon. Robert L. Carter, Hon. Timothy C. Evans
Hon. Susan Fox Gillis)*
- 4:30 p.m. Adjourn**

2011 REPORT

2011 Annual Illinois Judicial Conference
Thursday, October 13, 2011
10:45 a.m.
Hotel Sax
Chicago, Illinois
Honorable, Thomas L. Kilbride, Chief Justice

Good morning. I want to thank you for your attendance and your participation in this Conference. I want to thank especially Mike Tardy, our Acting Director for the Administrative Office and his staff, for putting together a great conference today.

Let me start the Conference by acknowledging our colleagues on the dais today. I will begin with the place where it should start ... on my left and your far right, is the one who recommended that we all think of ourselves as brothers and sisters as we serve on the Court. A fine gentleman, a scholar, a judge's judge. I would like you to stand and give a standing ovation for Justice Thomas Fitzgerald. Next to Justice Fitzgerald is my colleague Justice Mary Jane Theis from the First District. From the Fifth District, my colleague Justice Lloyd Karmeier. Of course, to my immediate left, and who is always to my left, Justice Bob Thomas from the Second District. And to my immediate right, Justice Charles Freeman. From the Fourth District, Justice Rita Garman. And also from the First District, seated to her right, is Justice Anne Burke. Next to Justice Burke is retired Justice John Nickels. Also, please welcome Justice John Stamos. And finally, but not least, former Chief Justice, Ben Miller.

Now I have to tell you that I'm not a big fan of what my wife calls the "L&L" speeches. That would be long and lofty. I will not guarantee that this is as short as I would like it to be, but it's definitely not going to be a lofty set of remarks. I can tell you I've been fortunate to be in the audience for a number of scintillating Judicial Conference addresses since 2000, when I joined the Court. I say that with all due respect to my colleagues, but the truth is I'm just not as good as my colleagues in delivering scintillating speeches.

I find this task today a very daunting one, so I called around to my colleagues on the Court to get some assistance. And I started at first with the gentleman to my left, to your right, Justice, brother, Bob Thomas. "Bob, do you have any recommendations for me, what I should say?" He gave me some great advice. He said, "No. I got nothing for you." So I had to call Justice Karmeier on another matter. I called him up and said, "Lloyd, how about you?" You know what he had to say. "Actually, being in Chicago presents a fundamental conflict for me. I would like to be in St. Louis to watch the National League Baseball Championship." And I'm sure he'll deny it, but Justice Freeman, when I called him said, "Well I'm glad it's you and it's not me." And then I thought, as a married husband, and father of three daughters, living with my wife Mary, should I call the three sisters on the Court? And of course I did. I called Justice Garman. I refer to her as the scholarly colleague. And she, as she describes it, sits in a very quiet small little office down in Danville, Illinois. All she could offer was, "Go Cardinals." On the other hand, I called Justice Burke. Well, I can tell you she has lots of recommendations, and I love them all. And Justice Theis demurred and said, "Well, would this help me move any closer to the March 20th primary?"

Let me focus seriously on three points after receiving such solid practical and enthusiastic guidance from my colleagues. As you know, our constitution mandates that we meet here today to suggest improvements in the administration of justice. I want to start, first, with the obvious - the

beginning, our home base of operations. From an administrative vantage point, we're in the midst of a transition with Mr. Michael Tardy as our new Acting Director. Director Cynthia Cobbs, whom we acknowledge and thank for her outstanding, loyal, and dedicated service, is no longer our Director. But Mike is a twenty-two year veteran of the Administrative Office. He also worked 10-plus years in the Cook County court system. He's worked under a number of Directors and Chief Justices, and I'm pleased to report that Mike is ably handling the Director's duties. But when you think about it, given any transition, whether it's the Administrative Office, or any organization, a business, whatever it may be, think back to when you practiced law in terms of trying to operate a business, and make money, make a profit. It's always wise, I think, to take a look at what we do well and at what we could do better.

Recently, on October 4th, I went to Springfield and met with staff of the Administrative Office. I haven't made the visit to the Administrative Office in Chicago, but I met with almost a hundred staff members in Springfield. There were about 90 AOIC staff, as well as a few guests who came down from Chicago. There might have been close to a hundred at the Springfield office. I addressed the entire assembly, and then also spent the day walking around meeting each employee. I didn't finish, but I'm going to go back next Monday to finish my one-on-one discussions with members of the Springfield Administrative Office. I asked all of them individually to think in their role as a member of the Administrative Office, how we can accomplish our common goal to serve the people of Illinois as best we can and to serve our court system. And I reminded the Administrative Office employees, and I want to remind all of you, that in any organization, to have a smooth operating organization, it requires participation, at every single level. From the lowest level paid individual in an organization to the highest paid. I'm not simply talking about performance of a job, but I'm talking about how the job should be done. And I believe that no one in any organization knows better how to accomplish a job than those doing the job on the street level. And in our court system, that starts with the clerks in the courthouses. It involves the circuit judges, and recognizing that top down management and supervision is necessary.

I offered to the Administrative Office staff, and I want to offer this to all of you, and I'd ask you to share it with all of your colleagues throughout our court system, I believe, and I'm confident that my colleagues on the Court believe this as well, that good ideas exist not simply at the top of any organization, but exist at all levels of the organization. And keeping that in mind, I believe that we should encourage creativity at the Administrative Office and within the judicial branch among judges, clerks, probation departments, and other individuals in our court system.

Now, Mr. Tardy and I have had a number of conversations. And I'm confident that he and his staff, and after my conversations with employees in the Springfield office on October 4th, they are all open to communication, including recommendations and even constructive criticism, on how we, together, need to get the job done.

To close on my first point about transition, I want to extend to all of you the same invitation I extended to employees and I handed each employee a memorandum from me with my office contact information. If there are any matters you believe are necessary and you deem it important enough, to contact me directly.

The second point is what I call e-Everything. Some more scholarly technical folks call it e-Business. I'm talking about e-Filing, e-Records, e-Guilty, e-Tickets, e-Warrants, just e-Everything else. But specifically I want to tell you where we are and where we hope to go with that concept. It's more than a concept its more of a plan, an action plan, to get it done. The idea to move forward

on e-Filing actually was raised by my colleague Justice Bob Thomas when he served as the Chief Justice. Our plan is to move forward as expeditiously as possible to get the job done. This past spring our Court shifted directions when it became clear that e-filing infrastructures had already moved forward on solidifying in various fronts throughout the state.

Face it, in large part, circuit clerks, who are independently elected, and county boards, who obviously are independently elected and really don't pay much attention to what we want to do, are not going to necessarily wait to hear directions from the Illinois Supreme Court. And the fact is, there are numerous case management software that already exist within circuit courts all around the State of Illinois.

We decided in the Spring that it would be a good idea to commence and convene a collaborative process among practicing attorneys, among trial judges, appellate justices, circuit clerks, our Clerk from our Court, the Illinois Supreme Court, and an appellate clerk who was once the president of the Illinois Court Clerk's Association. That committee has been working, after they were appointed and convened in May, really plowing forward studiously.

I've gone to all of the meetings, reviewing e-Filing standards in the circuits that have e-filing projects now, and, also, looking at e-filing operations around the country, including Mississippi, Alabama, Ohio, and, of course, there's some big fans of the PACER system in the federal court systems. There was a story about how Mississippi actually got the PACER system from the federal court system, the only state in the United States.

We tried to do that through our friend, Chief Judge Holderman. We're not gonna get it, it's never as easy as it sounds. Even the Mississippi system, and Skip Robertson, who's our technical guru, would clarify that it's not easy to peel away from your existing system to simply apply another operation.

Here's where we are. We're trying to approach this from a user standpoint, the folks that actually use e-Filing, whether it's the circuit clerks, the trial judges, the practicing attorneys. That's why we assembled this group. Today Judge Albrecht's committee continues its work. She's the chair of the Automation and Technology Committee of the Judicial Conference, to try and look at it from the judges' standpoint in the trial court, how would this work and work functionally well.

Judge Keith Brown made a great comment. He said, you know, if you think about it, if we were a business and not a state bureaucracy, you would look at it from the standpoint of what a business would do to make profits. How do you do it efficiently? How do you do it economically? We truly hope that this vantage, of looking at it from the user standpoint, will make some sense and will get to the final goal line.

Thus, if I may use an analogy, in the end, where we hope to go is to open the gates with some uniform standards realizing that counties and clerks already have things in place and we can't turn it upside down; but to give them flexibility on how to drive the e-filing vehicle to the same parking lot. Now, whether they drive it with a Chevy, they drive it with a Buick, they drive it with any other car, we want to get to the same place that works effectively and efficiently. Flexibility is going to have to be the key.

To wrap up the second point, I want to just highlight one of my goals that the Court has embraced and has tried to move things, technology-wise, e-wise, further. Because of Justice Ann

Jorgensen, through her leadership, and assistance, and cooperation, we have now approved an e-record system for the court record to be sent electronically and to be shared among all the justices in the Second District Appellate Court, to the parties, and the attorneys of record. That's already started.

The Fourth District is now contemplating the final touches to launch an e-record project in their Appellate Court District. And the Third District's in conversations with Justice Robert Carter. I understand they are now preparing to submit a proposal to our Court.

Our Illinois Supreme Court is attempting to launch our own e-filing system with court documents at the Illinois Supreme Court. And we are gathering information. We put out a request for information to get vendors to assist us in putting that together.

Westlaw, who publishes our jury instructions, both civil and criminal, agreed last week that we may now post the instructions on our website. They don't want us to post the table of contents or the index, but we have a contract with them that's going to expire shortly. We are going to post those instructions online and also have the book available for judges and practitioners who want a physical set of the instructions in their hands.

As you know, we are already publishing online our court opinions. Rule 23 opinions are now available online, and, of course, there's a whole other world of e-guilty pleas, warrants, and so forth. I want you to keep this in mind. In speaking on this topic with Mike Tardy, he gave me the statistics. A five-year average of new case filings, for the last five years is over four million per year. Now, think about that for a minute. We all know that every filing has at least one page. We don't know what the average is, if it's 5, if it's 15, if it's 20. Take a factor of four. Take a factor of five. With four million a year that's a lot of sheets of paper. And you stack that on top of the millions and millions of pieces of paper that exist from past years, the last 5 years, the last 10 years, 25 years, 50 years. That's a mountain of paper. And here's the fact that we need to embrace: circuit clerks are drowning in the mountain of paper records that they have.

Last week when I visited the Lake County Circuit Court after an address to the Lake County Bar Association, the clerk brought me in through the parking lot on the lower level. I walked into the clerk's office and just racks, you'd think I was walking through a library with just stacks and stacks of files. And these are just the current ones. The cost for the space of storage, and the cost for the personnel to store these records alone represents significant sums of money. These are just some of the reasons why we must use technology to stem the avalanche.

To kind of wrap up, if I may, on this second point, I want to read to you a statement about computers, and then I'm going to tell you after I read it, it's a short quote, where it came from and who said it. Think back to when you first were introduced to computers. Here's the quote: "I know a lot of you don't like computers. You don't want them, and you don't want to have anything to do with them. But, ladies and gentleman, not only are they here, but they're here to stay. And the sooner you understand what they can do for you and assume the responsibility of being a part of that change instead of fighting the change, the better off we'll all be." That was a statement given by Mary Lou Holter from the IBM Corporation out of Baltimore in 1992. She said that at a conference Chief Justice Miller convened, a Future of the Courts Conference in 1992. They talked in 1992 about how you'll be able to e-file documents. They didn't use that phrase. The judge will be able to sit in one county, it was Henry County, and look at the court documents on a screen that

exist in the circuit clerk's office in Rock Island County. They talked about that. I'm not sure that we've heeded the call from 1992 that well.

So let me transition with that very quickly. I've got to give part of this credit to Tony Trapani. Tony is the liaison with the Administrative Office. These are conversations I had with Mr. Tardy and Tony. Tony, I think if he could, and I'd allow him to, would get up here and give this talk himself, but we're not gonna do that today.

The third and final point is that I ask for your assistance throughout the coming months to examine carefully what we do and what we should do to improve our court system. As I said earlier, the Illinois Constitution mandates us to look at and suggest improvements in the administration of justice. I think one question is, what is the status of this Judicial Conference? I'm not talking about tearing it down and throwing it out, but are we structured in the way that we think we can promote things efficiently, effectively to make sense for the entire court system? Are we making progress, and what practical common sense suggestions can we propose to move the ball forward? Not just to compile reports and read reports, but getting things done. How do we get the job done? And one recommendation, among many that I received from Justice Burke, and I think having gone through a judicial campaign a year ago, and I'm grateful to be here; I wasn't sure a year ago I'd be here today; how do we improve the public's view of the judiciary? That's something we need to think about. And what do we do about it?

But today in conclusion, let me say this. I offer you these suggestions, and to go back, it's always helpful to look back to see where we need to go forward. I think we should do what Chief Justice Miller did over 20 years ago when he convened a Future of the Court's Conference in 1992.

I don't remember the exact numbers, but I think it was in the ballpark of 300 or 350 participants, and only 150 of those participants were judges and attorneys in the court system. The rest were non-lawyers, nonlegal folks, business folks, people from education, and so forth came together. That was in 1992.

In 2002, Tim Eaton, then president of the Illinois State Bar Association, convened a Future of the Court's Conference. Knowing that I'm just one vote, I may be the Chief, but I still have to have authorization from my colleagues, and I haven't done that yet. But I have discussed this preliminarily, and it's my plan, and my hope that either in 2012, or no later than 2013, we can convene another Future of the Court's Conference.

So I'm asking you to put your thinking caps on. And again, I thank you for your work today. Thank you very much. I'm told by Brother Bob that that's it. You're free to go.

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CONSENT CALENDAR

The Consent Calendar includes memorials for deceased judges, biographies for retired judges and a listing of new judges for the period from August 1, 2010 through July 31, 2011.

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RESOLUTION

IN MEMORY OF

THE HONORABLE DONALD T. ANDERSON

The Honorable Donald T. Anderson, former associate judge for the Sixteenth Judicial Circuit, passed away June 3, 2011.

Judge Anderson was born August 22, 1929, in Elgin, Illinois. He received his law degree from The John Marshall Law School in 1963. During his career he served as Justice of the Peace, Magistrate and associate judge for the Sixteenth Judicial Circuit. Judge Anderson retired August 31, 1984.

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

RESOLUTION

IN MEMORY OF

THE HONORABLE LOIS A. BELL

The Honorable Lois A. Bell, circuit judge for the Seventh Judicial Circuit, passed away July 2, 2011.

Judge Bell was born July 4, 1961, in Savanna, Illinois. She received her law degree from the University of Illinois College of Law in 1985, and was admitted to the bar that same year. Judge Bell served solely in the private sector prior to joining the bench. In 2002, she was elected a circuit judge for the for the Seventh Judicial Circuit, a position she retained until her death.

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

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IN MEMORY OF
THE HONORABLE GERALD C. BENDER

The Honorable Gerald C. Bender, circuit judge for the Circuit Court of Cook County, passed away November 28, 2010.

Judge Bender was born November 12, 1937, in Chicago, Illinois. He received his law degree from The John Marshall Law School, and was admitted to the bar in 1969. Judge Bender served in the private sector and was the Trustee for the Village of Lincolnwood until joining the bench. He was elected a circuit judge for the Circuit Court of Cook County in 1996, and remained in that position until his death.

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

RESOLUTION

IN MEMORY OF

THE HONORABLE CHRISTY BERKOS

The Honorable Christy Berkos, former circuit judge for the Circuit Court of Cook County, passed away May 10, 2011.

Judge Berkos was born April 2, 1926, in Cicero, Illinois. He received his law degree from IIT/Chicago-Kent College of Law in 1951, and was admitted to the bar that same year. Judge Berkos served as the town attorney, and also President, for the town of Cicero from 1956 - 1980. He was elected a circuit judge for the Circuit Court of Cook County in 1980. Judge Berkos retired July 31, 1995.

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

**2011 REPORT
RESOLUTION
IN MEMORY OF
THE HONORABLE FRED S. CARR, JR.**

The Honorable Fred S. Carr, Jr., former circuit judge for the Twenty-First Judicial Circuit, passed away July 9, 2011.

Judge Carr was born August 28, 1936, in Kingston, New York. He received his law degree from The John Marshall Law School in 1987, and was admitted to the bar that same year. Judge Carr was a Lt. Col. in the United States Marine Corps from 1955 - 1976, and served as Commissioner with the Kankakee City Plans Commission from 1980 - 1985. He was appointed a circuit judge for the Twenty-First Judicial Circuit in 1993, and remained in that position until retiring December 1, 2002.

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

RESOLUTION

IN MEMORY OF

THE HONORABLE CHARLES W. CHAPMAN

The Honorable Charles W. Chapman, former appellate court judge for the Fifth District, passed away May 15, 2011.

Judge Chapman was born February 18, 1942, in Granite City, Illinois. He received his law degree from St. Louis University School of Law in 1967, and was admitted to the bar that same year. Judge Chapman served solely in the private sector prior to joining the bench. He became a circuit judge in 1979 for the Third Judicial Circuit, and an appellate judge for the Fifth District Appellate Court in 1988, where he remained until retiring August 31, 2001.

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

2011 REPORT
RESOLUTION
IN MEMORY OF
THE HONORABLE HAROLD R. CLARK

The Honorable Harold R. Clark, former circuit judge for the Third Judicial Circuit, passed away September 17, 2010.

Judge Clark was born November 26, 1917, in Mt. Sterling, Illinois. He received his law degree from the University of Illinois College of Law in 1941, and was admitted to the bar that same year. Judge Clark served as a circuit judge for the Third Judicial Circuit, until his retirement April 21, 1980.

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

RESOLUTION

IN MEMORY OF

THE HONORABLE PATRICK J. DIXON

The Honorable Patrick J. Dixon, former circuit judge for the Sixteenth Judicial Circuit, passed away March 16, 2011.

Judge Dixon was born March 27, 1941, in Rockford, Illinois. He received his law degree from Marquette University Law School in 1966, and was admitted to the bar that same year. Judge Dixon was in private practice as well as simultaneously serving as city attorney for Sugar Grove from 1969 - 1979. He was appointed an associate judge for the Sixteenth Judicial Circuit in 1979, and elected a circuit judge in 1984. Judge Dixon served as chief judge for the Sixteenth Circuit from 1988 - 1990. He retired December 1, 2001, but was recalled to served from March 11, 2006 - March 10, 2007.

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

**2011 REPORT
RESOLUTION
IN MEMORY OF
THE HONORABLE ROBERT J. DOWNING**

The Honorable Robert J. Downing, former appellate court judge for the First District, passed away October 23, 2010.

Judge Downing was born May 15, 1915, in Des Moines, Iowa. He received his law degree from Loyola University Chicago School of Law in 1942, and was admitted to the bar that same year. Judge Downing served mainly in the public sector prior to joining the bench. In 1986, he was elected a circuit judge for the Circuit Court of Cook County. Judge Downing was assigned to the First District Appellate Court in 1973, and remained in that position until his retirement December 2, 1984.

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

RESOLUTION

IN MEMORY OF

THE HONORABLE THOMAS J. GALLAGHER

The Honorable Thomas J. Gallagher, associate judge for the Sixteenth Judicial Circuit, passed away June 25, 2011.

Judge Gallagher was born September 10, 1947, in DeKalb, Illinois. He received his law degree from IIT/Chicago-Kent College of Law in 1972, and was admitted to the bar that same year. Judge Gallagher served as State's Attorney for DeKalb County from 1976 - 1984, when he entered the private sector. He was appointed an associate judge for the Sixteenth Judicial Circuit in 2008, and remained in that position until his death.

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

2011 REPORT
RESOLUTION
IN MEMORY OF
THE HONORABLE LAWRENCE I. GENESEN

The Honorable Lawrence I. Genesen, former circuit judge for the Circuit Court of Cook County, passed away January 9, 2011.

Judge Genesen was born February 23, 1922, in Chicago, Illinois. He received his law degree from the University of Illinois College of Law in 1948, and was admitted to the bar that same year. Judge Genesen served as an assistant State's Attorney for Cook County from 1950 - 1967, when he was appointed a Magistrate. He became an associate judge for the Circuit Court of Cook County in 1971, and a circuit judge in 1976, retiring from that position December 1, 1988.

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

RESOLUTION

IN MEMORY OF

THE HONORABLE ARTHUR HAMILTON

The Honorable Arthur Hamilton, former circuit judge for the Circuit Court of Cook County, passed away December 26, 2010.

Judge Hamilton was born January 21, 1917, in New Orleans, Louisiana. He received his law degree from IIT/Chicago-Kent College of Law in 1950, and was admitted to the bar that same year. Judge Hamilton served mainly in the public sector prior to joining the bench. In 1971, he became an associate judge for the Circuit Court of Cook County, and was elected a circuit judge in 1976. Judge Hamilton retired from the bench January 31, 1992.

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

2011 REPORT
RESOLUTION
IN MEMORY OF
THE HONORABLE EDWARD C. HOFERT

The Honorable Edward C. Hofert, former circuit judge for the Circuit Court of Cook County, passed away July 27, 2011.

Judge Hofert was born March 21, 1926, in Chicago, Illinois. He received his law degree from IIT/Chicago-Kent College of Law, and was admitted to the bar in 1951. Judge Hofert served simultaneously as Village Attorney for the city of Mt. Prospect, attorney for the Village of Elk Grove and Special Assistant Attorney General for the State of Illinois during the years 1960 - 1976. He was elected a circuit judge for the Circuit Court of Cook County in 1976. Judge Hofert retired from the bench December 4, 1994.

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

RESOLUTION

IN MEMORY OF

THE HONORABLE CHARLES W. IBEN

The Honorable Charles W. Iben, former associate judge for the Tenth Judicial Circuit, passed away April 14, 2011.

Judge Iben was born July 1, 1918, in Peoria, Illinois. He received his law degree from Yale University Law School, and was admitted to the bar in 1949. Judge Iben served as Justice of the Peace and Magistrate prior to becoming an associate judge for the Tenth Judicial Circuit in 1964. Judge Iben retired December 4, 1978.

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

**2011 REPORT
RESOLUTION
IN MEMORY OF
THE HONORABLE GLENN T. JOHNSON**

The Honorable Glenn T. Johnson, former appellate court judge for the First District, passed away November 30, 2010.

Judge Johnson was born July 19, 1917, in Washington, Arkansas. He received his law degree from The John Marshall Law School in 1950, and was admitted to the bar that same year. Judge Johnson served mainly in the public sector prior to joining the bench. He became an associate judge for the Circuit Court of Cook County in 1966, and a circuit judge in 1968. He resigned his position as circuit judge when he was appointed to the First District Appellate Court in 1973. Judge Johnson retired December 4, 1994.

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

RESOLUTION

IN MEMORY OF

THE HONORABLE THADDEUS L. KOWALSKI

The Honorable Thaddeus L. Kowalski, former associate judge for the Circuit Court of Cook County, passed away June 27, 2011.

Judge Kowalski was born August 10, 1931, in Chicago, Illinois. He received his law degree from Northwestern University School of Law in 1958, and was admitted to the bar that same year. Judge Kowalski served in the private sector until 1969. From 1969 - 1980, he served as an assistant Cook County Public Defender, when he became an associate judge for the Circuit Court of Cook County. Judge Kowalski retired December 31, 2001.

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

2011 REPORT
RESOLUTION
IN MEMORY OF
THE HONORABLE CARL LUND

The Honorable Carl Lund, former appellate court judge for the Fourth District, passed away August 31, 2010.

Judge Lund was born January 20, 1935, in Galesburg, Illinois. He received his law degree from the University of Illinois College of Law in 1959, and was admitted to the bar that same year. Judge Lund served solely in the public sector prior to joining the bench. He was appointed a circuit judge for the Fifth Judicial Circuit in 1972, and elected to that position in 1974. In 1986, he was elected an appellate court judge for the Fourth District Appellate Court. Judge Lund retired July 16, 1995.

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

RESOLUTION

IN MEMORY OF

THE HONORABLE ANGELO MISTRETTO

The Honorable Angelo Mistretta, former circuit judge for the Circuit Court of Cook County, passed away April 11, 2011.

Judge Mistretta was born February 16, 1925, in Chicago, Illinois. He received his law degree from Valparaiso University School of Law, and was admitted to the bar in 1954. Judge Mistretta was appointed an associate judge for the Circuit Court of Cook County in 1979. He was elected a circuit judge in 1984, retiring from that position December 2, 1990. He was recalled to serve July 1, 1991, retiring from the bench August 3, 1993.

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

2011 REPORT
RESOLUTION
IN MEMORY OF
THE HONORABLE JOHN L. MOORE

The Honorable John L. Moore, former circuit judge for the Fifteenth Judicial Circuit, passed away August 29, 2010.

Judge Moore was born September 27, 1931, in Ortonville, Minnesota. He received his law degree from Northwestern University School of Law, and was admitted to the bar in 1957. Judge Moore was the Ogle County State's Attorney from 1963 - 1968, and served as Magistrate from 1968 - 1970. He was elected a circuit judge for the Fifteenth Judicial Circuit in 1970. Judge Moore retired November 30, 1993.

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

RESOLUTION

IN MEMORY OF

THE HONORABLE STEPHEN H. PETERS

The Honorable Stephen H. Peters, former circuit judge for the Sixth Judicial Circuit, passed away March 22, 2011.

Judge Peters was born August 26, 1944, in Clinton, Illinois. He received his law degree from The John Marshall Law School, and was admitted to the bar in 1975. Judge Peters served as DeWitt County State's Attorney from 1976 - 1987. He became a circuit judge for the Sixth Judicial Circuit in 1987. Judge Peters retired from the bench July 31, 2008.

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

**2011 REPORT
RESOLUTION
IN MEMORY OF
THE HONORABLE JAMES S. QUINLAN, JR.**

The Honorable James S. Quinlan, Jr., former circuit judge for the Circuit Court of Cook County, passed away November 11, 2010.

Judge Quinlan was born July 25, 1924, in Oak Park, Illinois. He received his law degree from Northwestern University School of Law in 1952, and was admitted to the bar that same year. Judge Quinlan served solely in the private sector prior to joining the bench in 1977 as an associate judge for the Circuit Court of Cook County. He was appointed a circuit judge in 1981, retiring from that position December 3, 2000. Judge Quinlan was immediately recalled and retired from the bench June 30, 2005.

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

RESOLUTION

IN MEMORY OF

THE HONORABLE THOMAS G. RUSSELL

The Honorable Thomas G. Russell, former circuit judge for the Seventh Judicial Circuit, passed away January 10, 2011.

Judge Russell was born October 26, 1948, in Fresno, California. He received his law degree from the University of the Pacific (McGeorge School of Law) in Sacramento, California, and was admitted to the bar in 1978. Judge Russell served in both the public and private sectors prior to joining the bench. He was elected an associate judge for the Seventh Judicial Circuit in 1983, and a circuit judge in 1990. Judge Russell served as the chief judge for the Seventh Circuit from 1998 - 2000. He retired from the bench August 23, 2005.

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

2011 REPORT
RESOLUTION
IN MEMORY OF
THE HONORABLE JOSEPH A. SALERNO

The Honorable Joseph A. Salerno, former circuit judge for the Circuit Court of Cook County, passed away February 10, 2011.

Judge Salerno was born November 24, 1916, in Chicago, Illinois. He received his law degree from The John Marshall Law School, and was admitted to the bar in 1947. Judge Salerno served as an assistant State's Attorney for Cook County from 1952 - 1964, when he became Magistrate. He became an associate judge for the Circuit Court of Cook County in 1971, and a circuit judge in 1983. Judge Salerno retired from the bench July 5, 1987.

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

RESOLUTION

IN MEMORY OF

THE HONORABLE JAMES N. SHERRICK

The Honorable James N. Sherrick, former circuit judge for the Sixth Judicial Circuit, passed away June 20, 2011.

Judge Sherrick was born April 13, 1918, in Greenup, Illinois. He received his law degree from the University of Illinois College of Law, and was admitted to the bar in 1950. Judge Sherrick served as the city attorney for Villa Grove, and as county court judge for Douglas County from 1954 - 1958. He was elected an associate judge for the Sixth Judicial Circuit in 1968, and became a circuit judge in 1972. Judge Sherrick retired from the bench December 2, 1984.

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

**2011 REPORT
RESOLUTION
IN MEMORY OF
THE HONORABLE GEORGE R. SKILLMAN**

The Honorable George R. Skillman, former associate judge for the Sixth Judicial Circuit, passed away February 24, 2011.

Judge Skillman was born January 1, 1925, in Normal, Illinois. He received his law degree from the University of Illinois College of Law in 1950. Judge Skillman served as Justice of the Peace and Magistrate for the Sixth Judicial Circuit from 1957 - 1971. He became an associate judge for the Sixth Judicial Circuit in 1971, retiring when his term expired June 30, 1979.

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

RESOLUTION

IN MEMORY OF

THE HONORABLE DOROTHY W. SPOMER

The Honorable Dorothy W. Spomer, former appellate court judge for the Fifth District, passed away April 23, 2011.

Judge Spomer was born February 2, 1921, in Olive Branch, Illinois. She received her law degree from the University of Illinois College of Law in 1943, and was admitted to the bar that same year. Judge Spomer served as a county court judge for Alexander County from 1950 - 1963. She became an associate judge for the First Judicial Circuit in 1966, and a circuit judge in 1972, retiring from that position September 4, 1977. Judge Spomer was recalled to serve in the Fifth District Appellate Court from October 15, 1979 until November 30, 1980.

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

2011 REPORT
RESOLUTION
IN MEMORY OF
THE HONORABLE CHARLES TRAVIS

The Honorable Charles Travis, former circuit judge for the Circuit Court of Cook County, passed away May 3, 2011.

Judge Travis was born August 16, 1941, in Neptune, New Jersey. He received his law degree from the University of North Dakota School of Law in 1971, and was admitted to the bar that same year. Judge Travis served solely in the private sector prior to joining the bench in 1996, when he was elected a circuit judge for the Circuit Court of Cook County. Judge Travis remained in that position until his retirement August 16, 2004.

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

RESOLUTION

IN MEMORY OF

THE HONORABLE HARRY L. ZIEGLER

The Honorable Harry L. Ziegler, former circuit judge for the Second Judicial Circuit, passed away September 8, 2010.

Judge Ziegler was born October 27, 1919, in Carmi, Illinois. He received his law degree from St. Louis University School of Law in 1952, and was admitted to the bar that same year. Judge Ziegler served as a county court judge for Wayne County from 1958 - 1963. He became an associate judge for the Second Judicial Circuit in 1966 and a circuit judge in 1972. Judge Ziegler remained in that position until retiring March 31, 1980.

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

RECOGNITION OF RETIRED JUDGES

BALESTRI, William P. was born March 17, 1951, in Peru, Illinois. Judge Balestri received his law degree from St. Louis University School of Law and was admitted to the bar in 1977. He served in the private sector and as an assistant Public Defender for LaSalle County from 1987 - 1995. In 1995, he became an associate judge for the Thirteenth Judicial Circuit. He retained that position until his retirement June 30, 2011.

BONGIORNO, Joseph S. was born November 13, 1953, in Chicago, Illinois. He received his law degree from Northern Illinois University College of Law in 1979, and was admitted to the bar that same year. Judge Bongiorno was a staff attorney with the DuPage County State's Attorney's Office from 1980 - 1983. He was in private practice from 1983 - 1986, and immediately prior to joining the bench was once again with the DuPage County State's Attorney's Office. In 1990, he became an associate judge for the Eighteenth Judicial Circuit. Judge Bongiorno remained in that position until his retirement October 4, 2010.

BREWE, Franklin D. was born November 22, 1947. He received his law degree from Northwestern University School of Law in 1976, and was admitted to the bar that same year. Judge Brewe has served as attorney for the villages of Newark and Millington, and as the Kendall County Public Defender. He became an associate judge for the Sixteenth Judicial Circuit in 1995, remaining in that position until his retirement October 31, 2010.

BRODHAY, Stephen Y. was born April 30, 1948, in Elgin, Illinois. He received his law degree from Northwestern University School of Law in 1973, and was admitted to the bar that same year. Judge Brodhay served as an assistant State's Attorney for Cook County from 1973 until 1991, when he became an associate judge for the Circuit Court of Cook County. He remained in that position until his retirement August 1, 2010.

BROWNFIELD, Thomas L. was born February 9, 1949, in Springfield, Illinois. He received his law degree from the University of Denver College of Law, and was admitted to the bar in 1977. Judge Brownfield was in private practice, and served as the State's Attorney for Mason County between the years of 1978 - 1984. He was elected a circuit judge for the Eighth Judicial Circuit in 1986. Judge Brownfield served as the Chief Judge of the Eighth Circuit from December 1, 2001 thru November 30, 2009. He retired from the bench October 15, 2010.

BRUSATTE, James L. was born October 15, 1952, in Joliet, Illinois. He received his law degree from the University of Illinois College of Law, and was admitted to the bar in 1977. Judge Brusatte has served as both the County Attorney and the Public Defender for LaSalle County. He was in private practice immediately prior to becoming an associate judge in 1996, for the Thirteenth Judicial Circuit. He remained in that position until his retirement September 30, 2010.

BUDZINSKI, Henry A. was born November 5, 1923, in Chicago, Illinois. He received his law degree from Loyola University School of Law in 1950, and was admitted to the bar that same year. Judge Budzinski served solely in the private sector until being appointed an associate judge in 1976, for the Circuit Court of Cook County. He was elected a circuit judge in 1984, and during his career has served as interim chief judge and acting chief judge for Cook County. Judge Budzinski retired November 30, 2010.

COLE, Melvin J. was born June 26, 1933, in Chicago, Illinois. He received his law degree from DePaul University College of Law in 1957, and was admitted to the bar that same year. Judge Cole served solely in the private sector before being appointed a circuit judge for the Circuit Court of Cook County in 1997. He retained that position until retiring December 5, 2010.

COLLIER, Glenn H. was born February 1, 1950. He received his law degree from the University of Illinois College of Law, and was admitted to the bar in 1976. Judge Collier has served as Corporation Counsel for the city of Peoria and as an assistant Public Defender for Peoria County. He was appointed an associate judge for the Tenth Judicial Circuit in 1995. Judge Collier became a circuit judge in 2009, and remained in that position until his retirement July 6, 2011.

COLWELL, Michael J. was born July 8, 1947, in Aurora, Illinois. He received his law degree from DePaul University College of Law in 1972, and was admitted to the bar that same year. Judge Colwell served solely in the private sector prior to being appointed an associate judge in 1984, for the Sixteenth Judicial Circuit. He was appointed a circuit judge in 1988, and served as chief judge from 1990 - 1992. Judge Colwell served as an appellate court judge for the Second District Appellate Court from 1993 to 2001. In 2001, he returned to judicial service for the sixteenth circuit, until retiring November 30, 2010.

CONLON, Claudia was born July 22, 1954, in Chicago, Illinois. She received her law degree from IIT-Chicago-Kent College of Law in 1981, and was admitted to the bar that same year. Judge Conlon served solely in the public sector until being elected a circuit judge in 1994, for the Circuit Court of Cook County. Judge Conlon retained that position until her retirement August 25, 2010.

DAVIS, Ronald S. was born March 2, 1933, in Chicago, Illinois. He received his law degree from Northwestern University School of Law in 1958, and was admitted to the bar that same year. Judge Davis served solely in the private sector until being appointed to the bench in 1983. He served as an associate judge for the Circuit Court of Cook County until retiring June 30, 2011.

DELGADO, David was born March 22, 1951, in New York City, New York. He received his law degree from Northwestern University School of Law in 1977, and was admitted to the bar that same year. Judge Delgado served as Administrative Assistant for the Cook County Board of Commissioners from 1977 - 1980, when he entered into private practice. He remained in private practice until being elected a circuit judge in 1992, for the Circuit Court of Cook County. He retained that position until his retirement July 8, 2011.

DESMOND, Leo T. was born June 13, 1950, in Chicago, Illinois. He received his law degree from DePaul University College of Law in 1977, and was admitted to the bar that same year. Judge Desmond clerked for Justices Karns and Kasserman, both of the Fifth District Appellate Court, and served as an assistant State's Attorney for Franklin County. He became an associate judge for the Second Judicial Circuit in 1981, and remained in that position until retiring December 26, 2010.

DEVANE, Sheila King was born August 24, 1953, in Evergreen Park, Illinois. She received her law degree from IIT/Chicago-Kent College of Law, and was admitted to the bar in 1979. Judge Devane has served in the private sector as well as an assistant Illinois Attorney General and an assistant State's Attorney for Cook County. She was appointed an associate judge in 2007 for the Circuit Court of Cook County. She retained that position until her retirement April 30, 2011.

DONNELLY, James was born November 15, 1944, 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 Donnelly served solely in the private sector until joining the Sixteenth Judicial Circuit as an associate judge in 1993. He was appointed a circuit judge in 2008, remaining in that position until retiring November 30, 2010.

DUFF, Eilar was born April 13, 1949, in Catron, Missouri. She received her law degree from the University of Missouri-Columbia School of Law, and was admitted to the bar in 1982. Judge Duff has served primarily in the public sector prior to being appointed an associate judge in 1987 for the Third Judicial Circuit. She served as an associate judge from October 1, 1987 thru June 30, 1999, and from August 11, 1999 until her retirement June 30, 2011.

DUNCAN-BRICE, Jennifer was born July 30, 1951, in Gary, Indiana. She received her law degree from The John Marshall Law School in 1976, and was admitted to the bar that same year. Judge Duncan-Brice worked for the City of Chicago Corporation Counsel until being elected a circuit judge for Cook County in 1992. She continued in that position until retiring July 31, 2011.

ECKERT, Annette A. was born September 30, 1951, in Belleville, Illinois. She received her law degree from DePaul University College of Law in 1976, and was admitted to the bar that same year. Judge Eckert served in the private sector and as an assistant Public Defender for Cook County. She became an associate judge in 1991, and in 2002, was elected the first female circuit judge for the Twentieth Judicial Circuit. Judge Eckert retired September 30, 2010.

ECKISS, Ronald R. was born October 25, 1951, in Mt. Carmel, Illinois. He received his law degree from Southern Illinois University School of Law in 1976, and was admitted to the bar that same year. Judge Eckiss served in both the public and private sectors, until becoming a circuit judge for the First Judicial Circuit in 1992. He retained that position until his retirement November 1, 2010.

FINK, Howard L. was born May 31, 1935, in Chicago, Illinois. He received his law degree from Harvard Law School in 1960, and was admitted to the bar that same year. Judge Fink has served as attorney for the Federal Trade Commission and the Justice Department, regional general counsel for the Executive Office of the President and as an assistant U. S. Attorney. He became an associate judge for the Circuit Court of Cook County in 1982. Judge Fink retired January 28, 2011.

FITZGERALD, Thomas R. was born July 10, 1941, in Chicago, Illinois. He received his law degree from The John Marshall Law School, cum laude in 1968, and was admitted to the bar that same year. Prior to joining the bench, Justice Fitzgerald spent his entire career as an assistant State's Attorney for Cook County. In 1976, he was elected a circuit judge for the Circuit Court of Cook County where he was retained until being elected to the Illinois Supreme Court in 2000. In 2008, he became Chief Justice of the Supreme Court, and remained in that position until his retirement October 25, 2010.

GALLAGHER, Michael J. was born February 7, 1953, in Chicago, Illinois. He received his law degree from IIT/Chicago-Kent College of Law in 1978, cum laude, and was admitted to the bar that same year. Judge Gallagher was a staff attorney for the U. S. Securities & Exchange Commission and a law clerk for Supreme Court Justice William Clark. He was in private practice from 1981 until 1988, when he was appointed a circuit judge for the Circuit Court of Cook County. Judge Gallagher became an appellate court judge for the First Appellate District in 1996, and remained in that position until his retirement April 14, 2011.

GARRISON, James E. was born March 23, 1941, in Peoria, Illinois. He received his law degree from the University of Illinois College of Law in 1966, and was admitted to the bar that same year. Judge Garrison served as an assistant State's Attorney for Will County and immediately prior to joining the bench, was in private practice. He became an associate judge for the Twelfth Judicial Circuit in 2001, retaining that position until his retirement December 30, 2010.

GRAWEY, Richard E. was born October 26, 1948, in Peoria, Illinois. He received his law degree from Boston University School of Law in 1973, and was admitted to the bar that same year. Judge Grawey was in private practice from 1973 - 1975, and served as counsel to the U. S. House of Representatives Subcommittee on Labor & Housing in Washington, D.C., from 1975 - 1982. From 1982 - 1990, he returned to private practice. Judge Grawey was elected a circuit judge for the Tenth Judicial Circuit in 1990, serving as chief judge from 2006 - 2007. He retired November 1, 2010.

GRAY, Lawrence C. was born December 16, 1944, in Joliet, Illinois. He received his law degree from DePaul University College of Law in 1971, and was admitted to the bar that same year. Judge Gray served mostly in the private sector prior to joining the bench. In 1991, he became an associate judge for the Twelfth Judicial Circuit. He retained that position until his retirement July 19, 2011.

HENDERSON, William D. was born March 14, 1944, in Emmetsburg, Iowa. He received his law degree from the University of Iowa College of Law, and was admitted to the bar in 1968. Judge Henderson was the McDonough County State's Attorney immediately prior to joining the bench. He became an associate judge for the Ninth Judicial Circuit in 1979, and a circuit judge in 1986. From 1999 - 2003 he served as the chief judge for the Ninth Circuit. Judge Henderson retired November 30, 2010.

HOUSER, Ann was born March 24, 1943, in Owensville, Indiana. She received her law degree from DePaul University College of Law, and was admitted to the bar in 1972. Judge Houser served solely in the private sector until becoming an associate judge for the Circuit Court of Cook County in 1986. She retained that position until her retirement December 30, 2010.

JACOBS, Gary W. was born April 3, 1952, in Carrollton, Illinois. He received his law degree from St. Louis University School of Law in 1977, and was admitted to the bar that same year. Judge Jacobs served solely in the private sector until joining the bench in 1989. He became an associate judge for the Fifth Judicial Circuit, and was elected a circuit judge in 1992. He retained that position until his retirement January 6, 2011.

JORDAN, Daniel E. was born August 1, 1948. He was admitted to the bar in 1981. His entire career prior to joining the bench was spent as an assistant State's Attorney for Cook County. Judge Jordan was elected a circuit judge for the Circuit Court of Cook County in 1992, and retained that position until his retirement November 30, 2010.

KARAHALIOS, Pamela G. was born September 29, 1952, in Chicago, Illinois. She received her law degree from Northern Illinois School of Law/Lewis College of Law in 1978, and was admitted to the bar that same year. Judge Karahalios served as an assistant State's Attorney for Cook County from 1978 - 1988. She was appointed an associate judge for the Circuit Court of Cook County in 1988. She retained that position until her retirement October 10, 2010.

KINNAIRD, Dorothy Kirie. was born August 31, 1949, in Oak Park, Illinois. She received her law degree from DePaul University College of Law, and was admitted to the bar in 1975. Judge Kinnaird served as an assistant State's Attorney for Cook County from 1975 - 1978. From 1978 - 1991 she was in private practice and also served as Village Attorney for Franklin Park. She was appointed a circuit judge for the Circuit Court of Cook County in 1991, and named Presiding Judge of the Chancery Division in 2002, becoming the first woman to head that division. Judge Kinnaird retired December 5, 2010.

LANUTI, James A. was born June 29, 1948, in Chicago, Illinois. He received his law degree from IIT/Chicago-Kent College of Law in 1977, and was admitted to the bar that same year. Judge Lanuti served in both the public and private sectors prior to joining the bench. He became an associate judge for the Thirteenth Judicial Circuit in 1986, and was elected a circuit judge in 1992. He served as Chief Judge for the Thirteenth Circuit from 2006 until his retirement December 5, 2010.

MALAK, Jeffrey A. was born July 28, 1940, in Hammond, Indiana. He received his law degree from Valparaiso University College of Law in 1964, and was admitted to the bar that same year. Judge Malak served mainly in the private sector until being appointed an associate judge in 1986 for the Circuit Court of Cook County. He retained that position until his retirement December 17, 2010.

MATHERS, Stephen C. was born November 1, 1946, in Galesburg, Illinois. He received his law degree from the University of Illinois College of Law in 1974, and was admitted to the bar that same year. Judge Mathers served as an assistant State's Attorney for Kane County from 1974 - 1975, and was in private practice from 1975 - 1978. He was appointed an associate judge for the Ninth Judicial Circuit in 1978, and elected a circuit judge in 1980. Judge Mathers served as Chief Judge for the Ninth Circuit from 2006 until 2009. He retired from the bench December 5, 2010.

McCLEAN, John R., Jr. was born December 12, 1948, in Moline, Illinois. He received his law degree from The John Marshall Law School in 1975, and was admitted to the bar that same year. Judge McClean served in both the public and private sectors prior to joining the bench. He became an associate judge for the Fourteenth Judicial Circuit in 1987, and a circuit judge in 2008. He retired from that position October 1, 2010.

McGANN, Patrick E., was born July 14, 1947, in Evergreen Park, Illinois. He received his law degree from DePaul University College of Law in 1972, and was admitted to the bar that same year. Judge McGann served as an assistant State's Attorney for Cook County from 1972 - 1978, and was in private practice from 1978 - 1988. He was appointed an associate judge for the Circuit Court of Cook County in 1988, and elected a circuit judge in 1992. Judge McGann retired August 31, 2010.

McKOSKI, Raymond J. was born October 23, 1947, 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 McKoski served solely in the public sector until being appointed an associate judge in 1985 for the Nineteenth Judicial Circuit. He was appointed a circuit judge in 1991, serving as chief judge for the Nineteenth Circuit from 1996 - 1998. Judge McKoski retired December 5, 2010.

MESICH, James J. was born October 5, 1949, in Berwyn, Illinois. He received his law degree from Loyola University School of Law in 1974, and was admitted to the bar that same year. Judge Mesich served mainly in the private sector prior to joining the bench. In 1989, he became an associate judge for the Fourteenth Judicial Circuit, and a circuit judge in 2009. Judge Mesich retired December 5, 2010.

MYERSCOUGH, Sue E. was born October 22, 1951, in Springfield, Illinois. She received her law degree from Southern Illinois University School of Law in 1980, and was admitted to the bar that same year. Judge Myerscough served mainly in the private sector until being appointed an associate judge for the Seventh Judicial Circuit in 1987. She was elected a circuit judge in 1990, and served as chief judge for the Seventh Circuit from 1996 until 1998, when she was elected to the Fourth District Appellate Court. Judge Myerscough served on the appellate court until being

appointed to a seat on the U. S. District Court for the Central District of Illinois March 15, 2011. She retired from the Illinois bench March 14, 2011.

O'BRIEN, Donald J., Jr. was born December 26, 1938, in Chicago, Illinois. He received his law degree from Northwestern University School of Law in 1963, and was admitted to the bar that same year. Judge O'Brien served solely in the private sector until being appointed to the bench. He was appointed a circuit judge for the Circuit Court of Cook County in 1990, and elected to that position in 1992. Judge O'Brien retired December 5, 2010.

O'BRIEN, Sheila M. was born November 8, 1955, in St. Louis, Missouri. She received her law degree from the University of Notre Dame Law School in 1980, and was admitted to the bar that same year. Judge O'Brien served in both the public and private sectors prior to joining the bench. She served as an associate judge for the Twentieth Judicial Circuit from 1985 - 1991, when she was recalled to serve as an associate judge for the Circuit Court of Cook County. In 1994, she was elected to the First District Appellate Court, a position she retained until retiring January 4, 2011.

O'GARA, Lawrence was born August 4, 1942, in Chicago, Illinois. He received his law degree from DePaul University College of Law, and was admitted to the bar in 1969. Judge O'Gara served as an assistant State's Attorney and as the chief deputy State's Attorney for Cook County. Immediately prior to joining the bench, he was in private practice. Judge O'Gara was elected a circuit judge for the Circuit Court of Cook County in 2002, retaining that position until his retirement August 31, 2010.

O'MALLEY, John M. "Jack" was born May 9, 1951, in Chicago, Illinois. He received his law degree from the University of Chicago Law School in 1981, and was admitted to the bar that same year. Judge O'Malley served as Cook County State's Attorney from 1990 - 1996. He has served in both the public and private sectors during his career. Judge O'Malley was elected to the Second District Appellate Court in 2000. He remained in that position until his retirement December 5, 2010.

O'MARA FROSSARD, Margaret was born November 23, 1951, in Chicago, Illinois. She received her law degree from IIT/Chicago-Kent College of Law in 1976, and was admitted to the bar that same year. Judge O'Mara Frossard was an assistant State's Attorney for Cook County from 1976 - 1988. She was appointed an associate judge for the Circuit Court of Cook County in 1988, and became a circuit judge in 1994. Judge O'Mara Frossard was assigned to the First District Appellate Court in 1997, where she remained until her retirement December 5, 2010.

PAINE, Theodore E. was born September 11, 1952, in Taylorville, Illinois. He received his law degree from the University of Illinois College of Law in 1978, and was admitted to the bar that same year. Judge Paine served in both the public and private sectors prior to joining the bench. He became an associate judge for the Sixth Judicial Circuit in 1989, and a circuit judge in 1999. He retained that position until retiring November 3, 2010.

PRALL, G. Michael was born November 12, 1947, in Terre Haute, Indiana. 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 Prall served in both the public and private sectors until 1991, when he became an associate judge for the Eleventh Judicial Circuit. He became a circuit judge in 1996, retaining that position until his retirement November 2, 2010.

QUINN, Thomas P. was born June 3, 1954, in Chicago, Illinois. He received his law degree from Loyola University School of Law in 1979, and was admitted to the bar that same year. Judge Quinn served solely in the public sector until being elected a circuit judge for the Circuit Court of Cook County in 1986. He retained that position until his retirement December 5, 2010.

RIGGS, Thomas J. was born February 24, 1943, in Chicago, Illinois. He received his law degree from DePaul University College of Law in 1968, and was admitted to the bar that same year. Judge Riggs served as an assistant State's Attorney and deputy Public Defender for DuPage County during his career. Prior to being appointed an associate judge for the Eighteenth Judicial Circuit in 1995, he was in private practice. He became a circuit judge in 2008, and remained in that position until his retirement December 5, 2010.

RILEY, Daniel A. was born November 1, 1948, in Evergreen Park, Illinois. He received his law degree from The John Marshall Law School in 1975, and was admitted to the bar that same year. Judge Riley served in the private sector and as Alderman and Mayor for the City of Hickory Hills until being elected a circuit judge for the Circuit Court of Cook County. He retained that position until his retirement October 31, 2010.

SCOTILLO, John J. was born October 28, 1950, in Chicago, Illinois. He received his law degree from IIT/Chicago-Kent College of Law in 1975, and was admitted to the bar that same year. Judge Scotillo served as an assistant State's Attorney for Cook County, and immediately prior to being appointed to the bench was in private practice. He was appointed an associate judge for the Circuit Court of Cook County in 1988, retaining that position until his retirement January 28, 2011.

SOTOS, George J. was born April 19, 1946, in Chicago, Illinois. He received his law degree from IIT/Chicago-Kent College of Law in 1972, and was admitted to the bar that same year. Judge Sotos served in the public and private sectors before being appointed an associate judge for the Eighteenth Judicial Circuit in 2001. He retained that position until retiring June 30, 2011.

STACK, Daniel J. was born November 12, 1950, in Granite City, Illinois. He received his law degree from St. Louis University School of Law, and was admitted to the bar in 1977. Judge Stack served in both the public and private sectors prior to joining the bench. He became an associate judge for the Third Judicial Circuit in 1986. Judge Stack left the bench in 1995, and was once again appointed an associate judge in 1997. He became a circuit judge in 2003, remaining in that position until his retirement December 5, 2010.

STARKS, Cheryl A. was born January 11, 1954, in Chicago, Illinois. She received her law degree from The John Marshall Law School in 1987, and was admitted to the bar that same year. Prior to joining the bench, Judge Starks was a supervisor and trial attorney for the Chicago Corporation Counsel's Office and assistant attorney for the Chicago Board of Education. She was elected a circuit judge for the Circuit Court of Cook County in 1996. Judge Starks retained that position until her retirement October 31, 2010.

STEWART, Victoria A. was born May 2, 1951, in Chicago, Illinois. She received her law degree from DePaul University College of Law in 1975, and was admitted to the bar that same year. Judge Stewart served in both the public and private sectors prior to joining the bench. She was elected a circuit judge for the Circuit Court of Cook County in 1994. She retained that position until retiring August 1, 2010.

SULLIVAN, Stephen was born December 26, 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 Sullivan served solely in the private sector before being appointed an associate judge for the Sixteenth Judicial Circuit in 2000. He became a circuit judge in 2009, and remained in that position until retiring December 5, 2010.

URSO, Joseph J., was born December 19, 1942, in Oak Park, Illinois. He received his law degree from DePaul University College of Law in 1969, and was admitted to the bar that same year. Judge Urso served solely in the public sector until being appointed an associate judge for the Circuit Court of Cook County in 1977. He became a circuit judge in 1994, and retained that position until his retirement January 28, 2011.

VESPA, Joe R. was born January 27, 1948, in Peoria, Illinois. He received his law degree from The John Marshall Law School in 1977, and was admitted to the bar that same year. Judge Vespa was in private practice until being elected a circuit judge for the Tenth Judicial Circuit in 1992. He retained that position until his retirement December 5, 2010.

WARD, John A., was born September 23, 1954, in Chicago, Illinois. He received his law degree from Northwestern University School of Law in 1979, and was admitted to the bar that same year. Judge Ward served as an assistant State's Attorney for Cook County and as assistant Illinois Attorney General. He was appointed an associate judge for the Circuit Court of Cook County in 1988. He became a circuit judge in 1992, and retained that position until retiring September 21, 2010.

WASILEWSKI, John A. was born July 4, 1952, in Oak Park, Illinois. He received his law degree from Northern Illinois University College of Law in 1978, and was admitted to the bar that same year. Judge Wasilewski served as an assistant State's Attorney for Cook County from 1978 - 1988. He was appointed an associate judge for the Circuit Court of Cook County in 1988, and became a circuit judge in 2009. He remained in that position until retiring December 5, 2010.

WHITE, Stephen D. was born November 13, 1947, in Leavenworth, Kansas. He received his law degree from Northern Illinois University College of Law in 1978, and was admitted to the bar that same year. Judge White was an assistant State's Attorney for Will County from 1979 - 1988 and first assistant State's Attorney from 1988 - 1990. He became an associate judge for the Twelfth Judicial Circuit in 1990, and a circuit judge in 1994. Judge White served as chief judge for the Twelfth Circuit from 2002 - 2008. He retired October 4, 2010.

YOUNG, Patrick M. was born May 19, 1948, in St. Louis, Missouri. He received his law degree from The John Marshall Law School in 1976, and was admitted to the bar that same year. Judge Young served as an assistant Public Defender, Chief Public Defender and assistant State's Attorney, all for St. Clair County. Prior to being appointed an associate judge for the Twentieth Judicial Circuit in 1997, he was in private practice. Judge Young became a circuit judge for the Twentieth Circuit in 2006, and retained that position until his retirement November 30, 2010.

2011 REPORT

NEW JUDGES

Adrian, Robert K. — Circuit Judge, 8th Judicial Circuit
Akemann, David R. — Circuit Judge, 16th Judicial Circuit
Allen, Thomas R. — Circuit Judge, Circuit Court of Cook County
Anderson, John C. — Circuit Judge, 12th Judicial Circuit
Barsanti, John A. — Circuit Judge, 16th Judicial Circuit
Benson, Heidi A. — Associate Judge, 9th Judicial Circuit
Bernstein, Steven James — Circuit Judge, Circuit Court of Cook County
Bertani, Matthew G. — Associate Judge, 12th Judicial Circuit
Birkett, Joseph E. — Appellate Court Judge, Second District
Brewer, Tommy — Circuit Judge, Circuit Court of Cook County
Clancy, Michael R. — Circuit Judge, Circuit Court of Cook County
Coco, Anthony V. — Associate Judge, 18th Judicial Circuit
Coleman-John, Bonita — Circuit Judge, Circuit Court of Cook County
Collins, Ann F. — Circuit Judge, Circuit Court of Cook County
Darrow, Clarence M. — Circuit Judge, 14th Judicial Circuit
Dinn, Thomas J., III — Associate Judge, 2nd Judicial Circuit
Doherty, Thomas L. — Circuit Judge, 16th Judicial Circuit
Eiten, Karen C., — Associate Judge, 13th Judicial Circuit
Else, Thomas A. — Associate Judge, 18th Judicial Circuit
Gallagher, Daniel J. — Circuit Judge, Circuit Court of Cook County
Gerhardt, Mark R. — Associate Judge, 22nd Judicial Circuit
Gibson, Robert G. — Circuit Judge, 18th Judicial Circuit
Girton, Derek — Associate Judge, 5th Judicial Circuit
Griffith, Thomas E., Jr. — Circuit Judge, 6th Judicial Circuit
Gross, Eugene E. — Associate Judge, 20th Judicial Circuit
Haida, Robert B. — Circuit Judge, 20th Judicial Circuit
Hartigan, Russell W. — Circuit Judge, Circuit Court of Cook County
Hill, Stanley L. — Circuit Judge, Circuit Court of Cook County
Horan, Kevin — Circuit Judge, Circuit Court of Cook County
Jansz, Michael C. — Associate Judge, 13th Judicial Circuit
Jean-Baptiste, Lionel — Circuit Judge, Circuit Court of Cook County
Johnson, Sharon O. — Circuit Judge, Circuit Court of Cook County
Jones, Linzey D. — Circuit Judge, Circuit Court of Cook County
Kaplan, James L. — Circuit Judge, Circuit Court of Cook County
Katz, Julie K. — Associate Judge, 20th Judicial Circuit
Kelly, Jeffrey Marc — Associate Judge, 4th Judicial Circuit
Kennedy, Susan L. — Circuit Judge, Circuit Court of Cook County
Kliment, David P. — Associate Judge, 16th Judicial Circuit
Lannon, Richard James, Jr. — Circuit Judge, 13th Judicial Circuit
Levitt, Mark L. — Circuit Judge, 19th Judicial Circuit
Liu, Laura C. — Circuit Judge, Circuit Court of Cook County
MacCarthy, Terence — Circuit Judge, Circuit Court of Cook County
Madonia, John M. — Associate Judge, 7th Judicial Circuit
Maher, Brendan A. — Circuit Judge, 17th Judicial Circuit
McAdams, John — Associate Judge, 16th Judicial Circuit
McNeal, William S. — Associate Judge, 14th Judicial Circuit

Moran, Mary Katherine — Associate Judge, 16th Judicial Circuit
Moreland, Caroline K. — Circuit Judge, Circuit Court of Cook County
Mudge, William A. — Circuit Judge, 3rd Judicial Circuit
Orel, James D. — Associate Judge, 18th Judicial Circuit
Osterberger, Domenica A. — Associate Judge, 12th Judicial Circuit
Otwell, Brian T. — Associate Judge, 7th Judicial Circuit
Pheanis, Mark A. — Associate Judge, 16th Judicial Circuit
Pilmer, Robert P. — Circuit Judge, 16th Judicial Circuit
Poncin, William E. — Circuit Judge, 9th Judicial Circuit
Propes, Lorna E. — Circuit Judge, Circuit Court of Cook County
Ramos, Sandra G. — Circuit Judge, Circuit Court of Cook County
Reddick, Erica L. — Circuit Judge, Circuit Court of Cook County
Rickmon, Roger D. — Associate Judge, 12th Judicial Circuit
Risinger, Michael D. — Circuit Judge, 10th Judicial Circuit
Rooney, J. Prendergast — Circuit Judge, Circuit Court of Cook County
Rossi, Raymond E. — Circuit Judge, 12th Judicial Circuit
Scannicchio, Regina A. — Circuit Judge, Circuit Court of Cook County
Schleifer, Andrea M. — Circuit Judge, Circuit Court of Cook County
Schmidt, John — Circuit Judge, 7th Judicial Circuit
Simonian, James — Associate Judge, 19th Judicial Circuit
Smoot, Carolyn Bailey — Circuit Judge, 1st Judicial Circuit
Sobol, Sheldon R. — Associate Judge, 13th Judicial Circuit
Stedelin, Mark W. — Circuit Judge, 4th Judicial Circuit
Stroh, Michael — Associate Judge, 11th Judicial Circuit
Swanson, Alfred M., Jr. — Circuit Judge, Circuit Court of Cook County
Tobin, Curtis R., III — Circuit Judge, 17th Judicial Circuit
Trew, Mary S. — Circuit Judge, Circuit Court of Cook County
Tucker, Alan D. — Circuit Judge, 8th Judicial Circuit
Vespa, John P. — Circuit Judge, 10th Judicial Circuit
Vilkelis, Peter J. — Circuit Judge, Circuit Court of Cook County
Wall, Karen E. — Associate Judge, 5th Judicial Circuit
Wilt, Robert R. — Associate Judge, 17th Judicial Circuit

2011 REPORT

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

Hon. Patricia Banks, Chair

Hon. Harris H. Agnew, Ret.
Hon. LaGuina Clay-Clark
Hon. Mark S. Goodwin
Hon. David E. Haracz

Hon. John G. Laurie, Ret.
Mr. Kent Lawrence, Esq.
Hon. John O. Steele
Hon. Carl Anthony Walker

October 2011

I. STATEMENT ON COMMITTEE CONTINUATION

Since the 2010 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 continues to be receptive to ADR processes. This Conference year, the Committee was busy with many activities, including the consideration of possible Supreme Court rule amendments and formulating a plan to accomplish the projects and priorities set forth by the Court for Conference Year 2011.

As part of the Committee's charge, court-annexed mandatory arbitration programs, operating in sixteen counties, continued to be monitored throughout the Conference year. Madison County, in the Third Judicial Circuit, which commenced an arbitration program in July 2007, is the last county to request authorization to operate such a program under the auspices of the Supreme Court.

In the area of mediation, the Committee continued to monitor the activities of the court-annexed major civil case mediation programs operating in twelve judicial circuits pursuant to Supreme Court Rule 99. During the 2012 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 also will continue to work on the projects and priorities delineated by the Court and stand ready to accept new projects for Conference Year 2012.

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-four 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 continues to be 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 with a court-sponsored mandatory arbitration program is contained in the annual report. The Committee emphasizes that it is best to evaluate 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 2010 Annual Meeting of the Illinois Judicial Conference concerning court-annexed mandatory arbitration.

Projects and Priorities Prescribed by the Supreme Court

The Court prescribed several projects and priorities for the Committee to consider in Conference Year 2011, as well as meeting the dictates of the Committee's general charge, and continuing projects delineated in Conference Year 2010. The Committee reviewed the list of projects/priorities from 2010 and 2011, and formulated a plan to address those projects. The Committee elected to create workgroups to study each of the projects. As part of the plan, each workgroup studied a specific project and made a recommendation(s) to the Committee to consider as a whole. Below are the projects/priorities the Committee addressed in Conference Year 2011.

Continued Conference Year 2010 Projects and Priorities

Participant Satisfaction Survey

The Committee was charged with "developing a statewide arbitration program participant satisfaction survey." During Conference Year 2009, the Committee collected survey instruments from arbitration jurisdictions that conducted program participant satisfaction surveys in the past.

¹ The AOIC's Court-Annexed Mandatory Arbitration Fiscal Year 2011 Annual Report will be available on the Supreme Court website (www.state.il.us/court) in January 2012.

The Committee reviewed the survey instruments and related data, and began to identify which information is most useful for improving arbitration programs.

During Conference Year 2010, the Committee workgroup assigned to this project developed survey instruments for arbitrators, attorneys, and litigants. The workgroup narrowed the scope of said surveys to meet the objective of this project, and obtain information that is useful to the Committee in considering arbitration program improvements.

During Conference Year 2011, the Committee finalized the survey instrument and disseminated the survey, along with explanatory correspondence, to all arbitration programs for circulation to the targeted arbitration program constituents during the month of April 2011. Arbitration programs were instructed to send the completed surveys to the Administrative Office for data tabulation and synthesis. Upon completion of the data recordation, the data will be presented to the Committee for assimilation, and subsequent preparation of a report for the Court.

Arbitrator Training Video

For Conference Year 2010, the Court requested that the Committee “develop an arbitrator training video to accompany the Uniform Arbitrator Reference Manual.” The Committee elected to establish a workgroup to develop a plan for production of a training video. The workgroup reviewed a video of arbitrator training offered in Cook County, as well as reviewed a training video produced by the Administrative Office in 1993. The workgroup also reviewed other training videos from DuPage County, St. Clair County, and other arbitration programs. Upon review of the videos, the workgroup narrowed the scope of the training video to focus on a short video that would be offered to circuits with arbitration programs as a “bridge” video. The “bridge” video would be made available as a training tool offered to assist in training those attorneys who are interested in becoming arbitrators, when immediate training is not available. In theory, the prospective arbitrators would view the video, thereby qualifying them to be immediately eligible to arbitrate. The workgroup began development of an outline for the training video during Conference Year 2010, which will serve as guidance for production of the training video for arbitrators.

During Conference Year 2011, the Committee completed the arbitrator training video outline and developed scripts, vignettes, and a PowerPoint presentation to accompany the video. It is planned that the video will be offered in a CD format, and the video presentation will be displayed on a split screen juxtaposed with the PowerPoint presentation. The Committee

completed filming the video in July 2011, and it is being edited. It is hoped that the video will be completed by the end of Conference Year 2011.

Rejection of Awards Survey

The Supreme Court requested that the Committee “survey arbitration program litigants to seek comments on reducing the occurrence of rejections.” The Committee assigned this task to a workgroup, which began preliminary research during Conference Year 2010. The workgroup dialogued with arbitration supervising judges and attorneys concerning the rejection rate issue, and learned that firms, especially insurance companies, use the arbitration hearing as part of discovery. Those firms are using the hearing as a benchmark, and then paying the rejection fee to continue the settlement dialogue.

In exploring the rejection issue, the Committee cultivated an understanding of the logic and strategy behind rejections. Discussions and review of the rejection issue indicated that rejections are part of the arbitration process, and in many instances, the hearing and subsequent rejection assists in eventually settling cases. The Committee emphasizes the fact that rejection numbers should not be the focus of the arbitration process. The focus should be on the fact that, of the 40,000 cases in arbitration, 98 percent are settled. Moreover, only two percent, or less, go to trial. No other jurisdiction, or program, in the state of Illinois can boast the claim that 98 percent of cases are removed from judicial caseloads in a one-year period. The net result of arbitration hearings demonstrates that, rejection numbers aside, a statewide average of less than two percent of cases in Illinois arbitration programs go to trial annually.

Mentor Program for Arbitrator Chairpersons

As part of the projects and priorities outlined for Conference Year 2010, the Court requested that the Committee “examine the possibility of developing a mentor program for arbitrator chairpersons.” The mandatory arbitration program in the Circuit Court of Cook County developed an arbitrator chairperson mentor program. During Conference Year 2010, Cook County began to mentor chairpersons. The purpose of the chairperson mentor program is to enhance training and offer a prospective arbitrator chairperson the practical experience necessary to excel as a fair and impartial chairperson. The program is voluntary, but arbitration administration in Cook County strongly encourages individuals interested in attaining the status of chairperson to participate. The workgroup assigned to this project, during Conference Year

2010, began developing a universal chairperson mentor training that would be offered to other counties with arbitration programs as a tool for enriching the qualifications of chairpersons.

During Conference Year 2011, the Committee continued to develop a global and more elaborate arbitration chairperson mentor program, which is designed to equip eligible chairpersons with the skills necessary to be successful in chairing arbitration hearings. A draft of the program is being circulated for review and comment from the arbitration supervising judges and administrators. It is hoped that the Committee will finalize development of its program by the end of Conference Year 2011, and offer the chairperson mentor program to arbitration programs for consideration of implementation.

Conference Year 2011 Projects and Priorities

Supreme Court Rule 94

For Conference Year 2011, the Committee was charged with "examining the current award form prescribed by Supreme Court Rule 94 and contemplating a proposal to allow dissenting arbitrators the opportunity to explain their position." A workgroup was assigned the task of exploring this issue and making a recommendation to the Committee. The workgroup recommended that the arbitration award form allow a dissenting arbitrator an opportunity to provide the reason as to the dissent from the majority, and proposed an amendment to Supreme Court Rule 94. The proposed amendment offers two check boxes on the award form, one for liability and one for damages. In theory, the dissenting arbitrator would check one of the boxes as for the reason he/she dissents from the majority. The Committee unanimously adopted the workgroup's recommendation, and correspondence and the proposed amendment to Supreme Court Rule 94 have been submitted to the Director of the Administrative Office for management with the Supreme Court.

Mediation

Presently, court-annexed civil mediation programs operate in the First, Third, Eleventh, Twelfth, Fourteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-Second 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-annexed mediation programs have been successful and well received, and 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-annexed 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.

III. PROPOSED COMMITTEE ACTIVITIES FOR THE NEXT CONFERENCE YEAR

The Committee requests to continue its work toward completing the projects and priorities outlined for Conference Year 2011, as well as those projects which remained from Conference Year 2010. Those projects include production of the arbitrator training video, synthesis and assimilation of data from the statewide arbitration program participant satisfaction survey, development of a universal mentor program for arbitrator chairpersons, and other initiatives as directed by the Court.

During the 2012 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 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 is making no recommendations to the Conference at this time.

2011 REPORT

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

Hon. Adrienne W. Albrecht, Chair

Hon. F. Keith Brown
Hon. Ann Callis
Hon. Melissa A. Chapman

Hon. Ann B. Jorgensen
Hon. William G. Schwartz
Hon. Thaddeus L. Wilson

October 2011

I. STATEMENT ON COMMITTEE CONTINUATION

On June 8, 2011, the Illinois Supreme Court issued an order (M.R. 24671) charging the Illinois Judicial Conference Automation and Technology Committee (Committee) to serve as representatives from the users' standpoint for the development and implementation of e-Business applications in the Illinois court system, including but not limited to e-Filing. The Committee is to develop general guidelines on the use of e-Business in the trial courts, the Appellate Court, and before the Supreme Court of Illinois, including statewide standards, protocols, or procedures; analyze applicable rules and statutes and develop recommendations for any changes necessary for the use of e-Business within the courts; and review and evaluate e-Business applications and their impact on the operation and workflow of the courts. The Committee may also research and recommend response protocols to resolve security issues affecting e-Business. The Automation and Technology Committee requests that it be continued in the 2012 Conference Year to complete this work.

II. SUMMARY OF COMMITTEE ACTIVITIES

The Committee on Automation and Technology was newly constituted this year. It received its instructions from the Supreme Court on June 8, 2011, to work with the Special Supreme Court Committee on E-Business, comprised of attorneys and chaired by Bruce Pfaff and a similar committee from the Clerks of Court Committee. Supreme Court Chief Justice Thomas L. Kilbride emphasized that a centralized system for e-Filing is not feasible at the present time in Illinois, and that the committees should focus on evaluating the current e-Business pilots with an eye toward making those projects permanent. The result should be suggested minimum guidelines for e-Business in the Illinois Courts and requisite changes needed in court rules and policies to accommodate e-Business initiatives.

The Automation and Technology Committee has begun along that path. Along the way, it plans to consider experience from other jurisdictions, recommendations and guidelines from organizations, such as the National Center for State Courts and the National Council for Juvenile and Family Court Judges, and input from judges, lawyers, clerks, and others across the state. In addition, the Committee plans to inquire into compliance with relevant statutes, such as the Privacy Protection Act in Illinois, the Americans with Disabilities Act and the Technology Accessibility Act. Fortunately, the National Center for State Courts and the National

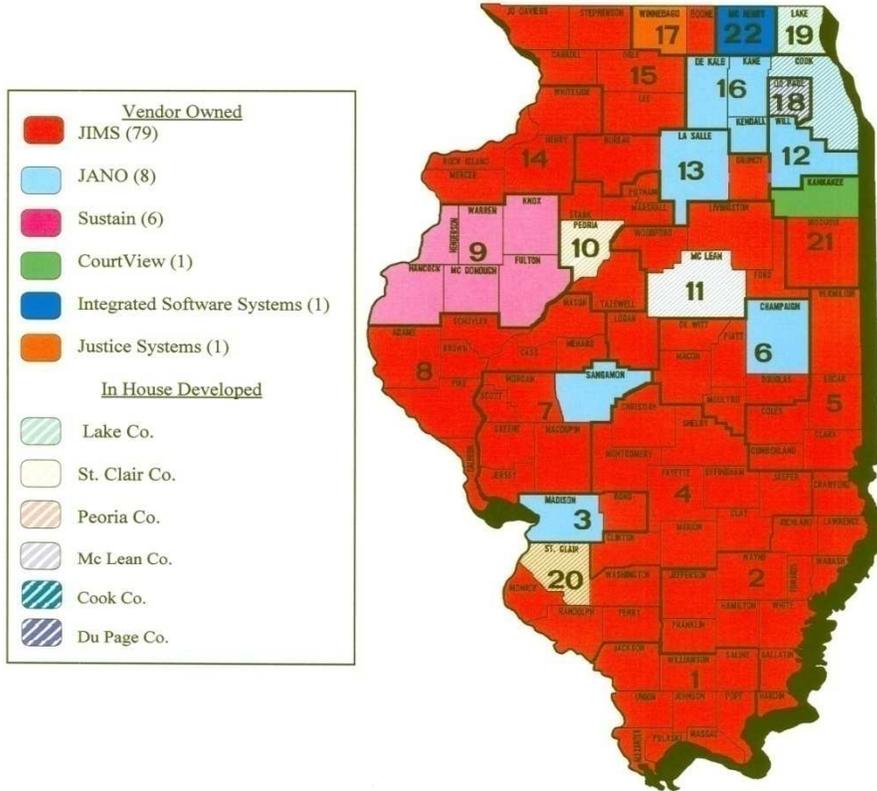
Conference of Appellate Court Clerks have endorsed e-Business initiatives as a means to add convenience, save cost, and increase efficiency. They have also compiled information, reviewed experiences of other court systems, and formulated guidelines to assist state courts with implementation. Other large jurisdictions, such as California and New York, have also reported on their experiences. In addition, there are several pilot projects in various stages of progress throughout Illinois with procedures and experiences from which to draw.

A. Description of Existing Case Management Systems in Illinois

Any successful e-Filing system must smoothly integrate with the case management system at the circuit courts. Originally, the Supreme Court envisioned a “portal system” whereby it would maintain a central site for electronic filing of court documents and transmit them to the local courts. Unfortunately the lack of funding and other logistical impediments prevented that concept from successful implementation. Among the complicating factors are the myriad different case management systems in use in Illinois. Of these, six are unique systems developed in house in the county. There are also a variety of systems in use in Illinois by probation departments. This variety presents significant challenges for any successful e-Business initiative; and demonstrates the need for guidelines. Below is a map of the case management systems as of 2010.

The reason that the variety of case management systems matters is that attorneys and Appellate Courts need to be able to prepare and receive documents with one standard throughout the state. Because there are different vendors engaged in pilot e-Filing projects in the state, it is essential that any successful system be able to interface seamlessly with all of the other case management systems. If electronic files become the official court record in a jurisdiction, as the National Center for State Courts Guidelines recommends, then the electronic file will be transmitted to other counties, as files are transferred, and to the reviewing courts as cases are appealed. Fortunately, as the authors of the report to the National Conference of Appellate Court Clerks in *E-Filing in State Appellate Courts, An Appraisal*, Schanker, et. al. February 10, 2010, concluded, the task is not as daunting as it initially seems. That is because almost all of the vendors have patterned their system on that which is employed by the United States Courts.

4.3 Trial Court Case Management Systems
as of September 2010



B. Description of E-business Initiatives

According to the Illinois Supreme Court website, e-Business is defined as, "The process of conducting court business thru electronic means." Illinois has a variety of e-Business initiatives in place in its court system in various trial and reviewing courts affecting both civil and criminal matters all over the state. A map of e-Business projects is available at the Illinois Supreme Court website at http://www.state.il.us/court/EBusiness/EBus_Map/EBusMap.asp. These projects include e-Filing, e-Tickets, e-Warrants, and electronic pleas of guilty.

E-Filing: Electronic filing enables the filing of documents electronically over the internet, with filing fees also paid electronically. The filer receives notification that the documents have been received and accepted or rejected within a specified period of time. The filers can also notify other parties, receive court notifications and review documents electronically. The documents can then be incorporated into the court's case management system and transmitted or accessed by court personnel electronically, rather than being physically transported in the form of paper files. There are authorized e-Filing projects in DuPage, Cook, Will, Madison, and St. Clair Counties. The vendors involved with those projects include i2file, LexisNexis, USCourts, and Wiznet. Two different models are in use in these court systems. i2File obtains its funding from the Circuit Court Clerk and does not charge the user for its service. LexisNexis, USCourts, and Wiznet, finance their service by charging the filer for each document filed. The distinction is significant because it represents two contrasting business plans for implementing e-Filing.

E-Ticket: E-Ticket is a system whereby the officer in a police car, using either a handheld device, or a mobile computer, can generate a citation by populating the required fields with information that he or she retrieves from law enforcement databases, after typing information from the driver's license of the motorist. One of the most significant benefits of this system is the avoidance of the need for deciphering of the police officer's handwriting. The citation is then transmitted electronically to the Circuit Clerk's office. The court system can regulate the return dates on the ticket so that the court calls are balanced, and dates when no traffic judge will be available are avoided. Currently, Applied Public Safety provides all of the e-Ticket software utilized in Illinois with DuPage County serving as the data center. The officers print out two copies of the citation at the present time. One is given to the motorist; and the other filed with the clerk. However, the potential exists to eliminate the paper copy filed with the clerk. Of particular significance is the federal funding that many law enforcement agencies throughout the State were able to obtain in order to procure the requisite equipment.

E-Orders and Warrants: The Supreme Court also is exploring the potential of allowing paper warrants to be replaced by electronically issued warrants. This has the potential of avoiding the delay, confusion, and transportation issues associated with the current system of paper warrants. Both Cook County and DuPage County have pilot programs whereby the original document is created in html. The judge then adds a digital signature, and the order is converted into a tamper proof PDF document, which is forwarded, over the Internet, to law enforcement agencies. Prospects for direct entry of the digital warrant into the State's LEADS system are also being explored.

The use of digitally signed orders has potential utility for other applications in addition to warrants. For example, there is currently great confusion and delay associated with orders directing enforcement by law enforcement personnel, such as orders of protection and no contact orders. These orders all require entry into centralized data bases to which the entire law enforcement community has access. In addition to the time delay associated with original entry, there is currently a potentially prejudicial impact associated with the current delay communicating the modification or vacating of those orders.

Appeals: The Second District Appellate Court, in cooperation with the DuPage County Clerk and the Ogle County Clerk is in the process of implementing a pilot project to allow the electronic transmission of records on appeal between the circuit courts and the appellate courts. At the present time, a hard copy original common law record and report of proceeding is filed in addition to the electronic version. Because of this, the pilot process does not require any changes to rules; but does afford electronic access to the appellate court justices, clerks, personnel, appellants and appellees. The pilot utilizes the services of i2file, with whom the circuit courts currently contract for services at no cost to the Appellate Court.

Of special interest in the Second District Appellate Court project is the variance in the case management systems used in DuPage and Ogle Counties. DuPage County has a custom case management system that it designed in house, while Ogle County uses JIMS, a case management system in use in most of the smaller counties in Illinois. Should the project be expanded to include other counties in the Second District, it would provide a beneficial test of the ability to interface between courts without regard to case management systems.

C. Prospective Benefits of Electronic Systems

At the present time, litigants prepare the vast majority of court documents for filing on their computer using standard software, thereby creating an electronic file. That electronic file can be searched, highlighted, indexed, and otherwise manipulated. They then print those

documents out, and mail or walk them to the clerk's office with payment. In many courthouses, the clerks take those paper documents and scan them, creating another electronic file. The scanned document is basically a photo of the printed document. It requires additional software and manipulation in order to enable judges and other courthouse personnel to search or otherwise take advantage of its digital characteristics. Enabling electronic filing of the original documents avoids the duplication and extra steps of printing, transporting, scanning, and digitizing the scanned pleadings. This means savings of time, cost and effort on the part of both the litigants and the courts.

The paper files have also become a serious logistical burden on the court system. Many counties have courts in multiple locations separated by wide distances. Transporting files among those different locations costs the court system time, confusion and money. In many cases, this has been at the expense of timely and efficient administration of justice. For example, among the most time sensitive matters handled by the courts are those involving the care and custody of children. Toward that end, the Supreme Court has enacted the 900 Series Rules and Rules for expedited handling of appeals. One of the most significant recent changes aimed at accomplishing the timely resolution of matters affecting children, while meeting the demands of federal legislation is Supreme Court Rule 302. It strongly encourages that, to the extent possible, all matters affecting a family be tried before the same judge. However, at the recent Conference on Abuse and Neglect Issues held at the Judicial College in Reno, many Illinois judges from large counties acknowledged that the physical restraints of the multiple locations of specialized courts have impeded the effective and efficient application of this Rule.

For example, Will County is fortunate to have a juvenile detention facility and court administration complex located near Interstate 80. At the complex, two judges hear abuse and neglect, delinquency, probate and guardianship cases. Dissolution of marriage and parentage cases, however, are heard at the main courthouse building in downtown Joliet. Petitions seeking a finding of indigence are filed and decided at the downtown courthouse. Therefore, if someone files a guardianship petition involving children that are the subject of a dissolution of marriage petition, in order to fulfill the requirements of Rule 302, the guardianship judge, sitting at River Valley must first learn of the other case, and then order it transferred to the downtown courthouse for consideration by the judge presiding over the dissolution of marriage proceeding. Furthermore, the paper file must be physically transported to the downtown courthouse before any proceedings can be conducted. Similarly, a dissolution of marriage case involving children who are the subject of an abuse and neglect petition presents even more complications. The distance itself, and need to physically transport case files between the two buildings results in delays in matters that are not only critical to families and developing children, but have a direct bearing on eligibility for federal reimbursement.

In addition, many courthouses are stuffed to the brim with official records. Every square inch required for record storage reduces the available space for conducting the court's business. With the fiscal restraints faced by all levels of government, there is no budget for additional space. Enabling the filing and maintenance of files in electronic form can relieve much of the space demand. In complex civil and criminal litigation, the filings in paper form in just one file can become physically difficult to handle and transport. It has been reported that making sure the correct pleadings are before the judge when he or she needs it can be daunting. See *Patchwork E-Filing Frustrates Lawyers*, Lynne Marek, National Law Journal, February 26, 2008.

These problems can all be eliminated by a well designed system for filing, storage and accessing electronic documents.

D. Requirements from Judges' Perspective

One issue that has been largely overlooked in the design, implementation and review of e-Filing and case management systems is the need for judges to successfully navigate and use electronic files and systems. After all, judges are the ultimate consumers of the electronic product of the court system. In order for any e-Business initiative to be successful, it must have the same functionality and ease of use of a paper file for the judge. In order for that to happen, both the software and hardware must meet minimum requirements for readability, ease of navigation, and use. At the same time, it can't interfere with the physical operation of the courtroom.

In Wisconsin, for example, a panel of judges is working with a vendor to design the interface, or computer screen, that the judge uses to access the contents of a file. Proposed drafts are circulated among the judiciary for comment. One judge from Washington State, who uses a completely electronic file, complained about the awkwardness and difficulty of navigating the documents within a complex file. She then pointed to her iPad and commented that she'd like her court system to be as easy to navigate within documents as it is.

In addition, electronic files will require that judges maintain requisite control over input of findings and orders. Any plan for automation of court files should take these needs into consideration.

E. Issues that Need to Be Resolved

Among the issues that need to be resolved on a statewide basis before permanent implementation of the e-Business initiatives in Illinois courts are control, privacy, cost, format, and *pro se*, disabled, and indigent litigants. Currently, the Electronic Access Policy for Circuit Court Records of the Illinois Courts Section 4.30 prohibits any document that is filed or imaged from being accessed in electronic form unless such access is provided through the use of a computer terminal in the clerk's office, which does not allow information to be downloaded or exported. However, as courts transition to electronic files, limiting access to terminals inside the clerk's office may become unwieldy. If the Court should ease the rules for electronic access to pleadings, then privacy issues must be addressed. Courts around the country have adopted a wide range of intermediate solutions to this problem such as only giving the litigants internet access to the files in which they are, or represent, a party, *NCSC 2009 E-Filing Survey*, posted at www.ncsc.org/services-and-experts/areas-of-expertise/technology/2009-e-filing-survey.aspx. In the federal system, for example, lawyers and litigants must submit an affidavit with pleadings that they have reviewed and redacted all private information.

There are similar issues with regard to control. Under the current policies, judges and clerks have dual responsibility for the record of proceedings. Judges control the dissemination of orders by their signature. With electronic signatures, or even use of scanned handwritten signatures, protocols will need to be established to prevent misuse and forgery. What judges and clerks are respectively allowed to input into the court management system, and how they correct errors, should be clearly defined, especially in light of the criminal sanctions associated with unauthorized alteration of public records, 720 ILCS 5/32-8 (2010 as amended by P.A. 96-1217, eff. 1-1-11; and 96-1508, eff. 6-1-11).

The issue of cost must also be considered. Already, in the various pilots in existence in Illinois are conflicting models for financing e-Filing. In addition, there is reason to explore the potential of funding from cost savings associated with increased efficiencies, which a well-designed system can introduce. Working in collaboration with the Clerks of Court Committee could produce some concrete and innovative suggestions. Tied in with cost is the issue of access. Many systems, including the federal courts, finance their system in part from charging for access to documents.

Another paramount consideration is meeting the needs of unrepresented, disabled, and indigent litigants who lack access to and familiarity with the electronic tools with which our society has become so familiar. This Committee plans to explore the various ways that the pilot projects have attempted to meet those needs and make observations and suggestions.

The format most commonly used for electronic filing today is PDF. That is the format employed by the federal court system when it initiated its PACER system. However, the federal system is currently transitioning to a new format, called PDF/A, www.pacer.gov/announcements/general/pdfa.html. Because of the need for easy transmission of files between counties and trial and reviewing courts, the selection of a standard format for documents may be important. It is the hope of the Automation and Technology Committee that this issue be explored to recommend whether a standardized format is needed; and, if so, what it should be.

Resources

- 1) Report from New York
- 2) Guidelines from National Center for State Courts
- 3) Electronic Access Policy for Circuit Court Records of the Illinois Courts
- 4) National Conference of Appellate Court Clerks, *E-Filing in State Appellate Courts, An Appraisal*, Schanker, et. al. February 10, 2010
- 5) Local Rules authorizing E-Filing

III. PROPOSED COMMITTEE ACTIVITIES FOR THE NEXT CONFERENCE YEAR

The Committee respectfully requests permission to continue to work with the Special Supreme Court Committee on E-Business and Clerks of Court's Committee to survey the needs of the various constituent groups, particularly judges, evaluate pilot projects already in existence in Illinois implementing e-Business initiatives, and suggest guidelines, rules, and procedures for permanent implementation of projects and mechanisms funding these projects. We further plan to develop a timeline for implementation.

In addition, the Committee suggests that the incompatibility of probation systems with case management programs is a matter that deserves review in coordination with the other committees of the Judicial Conference, understanding, however, that individual counties are responsible for selecting and funding those case management systems.

IV. RECOMMENDATIONS

The 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. Leonard Murray, Chair

Hon. Thomas R. Appleton
Hon. John A. Barsanti
Hon. Diane Gordon Cannon
Hon. John E. Childress
Hon. Neil H. Cohen
Hon. Kathy Bradshaw Elliott
Hon. Daniel P. Guerin
Hon. Janet R. Holmgren

Hon. William G. Hooks
Hon. Paul G. Lawrence
Hon. Marjorie C. Laws
Hon. Charles McRae Leonhard
Hon. Lewis M. Nixon
Hon. Charles V. Romani, Jr.
Hon. Mitchell K. Shick
Hon. Domenica A. Stephenson

October 2011

I. STATEMENT ON COMMITTEE CONTINUATION

The purpose of the Criminal Law and Probation Administration Committee, (Committee), 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. The Committee also is charged with reviewing and commenting on changes to Illinois Supreme Court Rules that affect the administration of criminal law and/or the probation system.

Since the Committee's inception, a number of critical issues related to criminal law and probation administration have been addressed. Over the years his Committee has been instrumental in sponsoring amendments to Supreme Court rules which were then adopted by the Supreme Court, including Rule 605(a) and Rule 605(b). The Committee has made recommendations for the enacting of new rules, specifically Rule 402A and Rule 430, both of which were adopted by the Court. The Committee also has made recommendations on the use of videoconferencing technology in criminal cases. The Committee also has prepared and presented to the Conference a pre-sentence investigation report format incorporating the principles of Evidence Based Practices, (EBP), as well as a one page EBP bench guide and a similar one created for use by probation officers, supervisors, and managers.

This Conference year, as a prelude to updating the 2007 Specialty Court Survey, the Committee approved an initial assessment to be sent to Chief Judges and Trial Court Administrators to ascertain the nature and extent of problem solving courts in each judicial circuit. Furthermore, at the request of the Supreme Court Rules Committee, the Committee made recommendations concerning proposed amendments to Supreme Court Rules 402(d), 604(d), 651(c) and 431(b).

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

II. SUMMARY OF COMMITTEE ACTIVITIES

Conference Year 2010 Continued Projects/Priorities

Project 1: Update the 2007 Specialty Court Survey.

In 2010, the Committee began to undertake updating the 2007 Specialty Court Survey by examining and discussing problem solving courts designed to address issues unique to veterans. The Hon. John Kirby, presiding Judge of the Cook County Veterans Court program and Mr. Mark Kammerer, Cook County Specialty Courts Coordinators spoke to the Committee about the Cook County Veterans Court Program. Judge Kirby and Mr. Kammerer detailed to the Committee the screening process used to determine participation eligibility, the tools used by the court to address veterans' issues, the resources used, and the success rate of the program.

Due to the in-depth nature of this charge, the Administrative Office of the Illinois Courts, in conjunction with the Committee, has developed an initial assessment for the purpose of determining the nature and extent of problem solving courts in each judicial circuit. This initial assessment has been sent to the Chief Judges and Trial Court Administrators for each judicial circuit. Once the responses contained in the initial assessment are analyzed, work will begin to develop a survey instrument that will be capable of providing the Conference with a more comprehensive overview of speciality courts in Illinois as compared to the 2007 survey.

Project 2: Study, examine and report on Supreme Court Rules as they relate to criminal procedure and court process.

The Supreme Court Rules Committee requested that the Committee comment on proposed amendments to paragraph (d) of the Supreme Court Rule 402, amendments to paragraph (d) of Supreme Court Rule 604, and amendment to paragraph (c) of Supreme Court Rule 651 and an amendment to paragraph (b) of Supreme Court Rule 431.

The proposed amendment to Supreme Court Rule 402(d)(1) would include language that would give the trial judge the discretion to participate in plea discussions upon request of the defendant. The Committee believed that the language of the proposed amendment was not adequate to guide a trial judge concerning his or her role in a Rule 401 plea discussion. As a result, a subcommittee was formed and charged by the Committee with drafting a proposed amendment to Rule 402, which addressed the Committee's concerns. The subcommittee's proposed amendment included allowing a trial judge to participate in a Rule 401 conference at

the request of either the prosecution or defense and also incorporated a litany of admonishments to the defendant prior to the initiation of a Rule 402 conference. The Committee approved the subcommittee's proposed amendments to Rule 402. The Committee's proposed amendments to Rule 402 have been forwarded to the Supreme Court Rules Committee.

There are two proposed amendments to Supreme Court Rule 604(d), which were reviewed and discussed by the Committee. The first proposed amendment would expand the type of consultations to include phone and electronic means, between a defendant and his/her attorney about defendant's contentions of error prior to filing an appeal from judgments entered as a result of a guilty plea.

The second proposed amendment to Rule 604(d) would expand the materials an attorney must certify as being reviewed before filing an appeal. Currently, Rule 604(d) is silent with respect to reviewing materials relevant to sentencing. The proposed amendment would require a defendant's attorney, who has filed a motion to reconsider sentence, to certify that he/she has examined not only the trial court proceedings but also the report of proceedings for the sentencing hearing.

After review and discussion of both proposed amendments to Rule 604(d), the Committee recommended that both amendments be adopted. The Committee recommended the first proposed amendment be adopted because it reflects the need to recognize and react to the ever expanding means of communications between individuals. The Committee recommended the second proposed amendment to Rule 604(d) be adopted because it addresses an omission in the rule and would now ensure an attorney has reviewed all relevant documents prior to filing an appeal from judgment entered on a plea of guilty. The Committee's recommendation has been forwarded to the Supreme Court Rules Committee.

Next, a proposed amendment to Supreme Court Rule 651(c) was reviewed and discussed by the Committee. This proposed amendment is similar to the first proposed amendment to Rule 604(d) in that it would expand the type of methodology of consultations with the defendant about any post-conviction proceeding to include communications by phone and electronic means. After review and discussion of this proposed amendment, the Committee recommended adoption of this proposed amendment because, like the first proposed amendment to Rule 604(d), it reflects the need to recognize and react to the ever expanding

means of communication between individuals. The Committee's recommendations has been forwarded to the Supreme Court Rules Committee.

Finally, the Committee reviewed a proposed amendment to Supreme Court Rule 43(b)(4), which outlines what is commonly known as the "Zehr" questions. Rule 431(b) currently states, in relevant part, that the defendant's failure to testify cannot be held against him or her; however, no inquiry of a prospective juror shall be made into the defendant's failure to testify when the defendant objects. The proposal amended paragraph (b) of Rule 431 to provide that the fact the defendant does not testify, cannot be held against him or her; however, no inquiry of a prospective juror shall be made into the defendant's failure to testify when the defendant objects. The drafter explained that in his opinion the word "failure" as currently used in paragraph (b) unduly biased a jury against a defendant for exercising his or her right to not testify at trial and the proposed amendment would remove that potential for bias.

After further discussion of the proposed amendment to Rule 431(b), the Committee unanimously concurred that the proposed amendment was necessary and had no issue with the proposed wording. The Committee's recommendation has been forwarded to the Supreme Court Rules Committee.

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 developing. The Committee is requesting to continue its work in updating the 2007 Specialty Court Survey. The Committee also would like to continue reviewing and making recommendations on matters affecting the administration of criminal law and the probation system. The Committee also would like to continue to study, examine and report on proposed Supreme Court Rules as they relate to criminal procedure and court process.

For Conference Year 2012 the Committee requests that it be charged with examining what, if any, effect the decision in the case of *People v. Darrell Rippatoe*, 408 Ill. App.3d 1061 (2011), has on Supreme Court Rule 430 (Trial of Incarcerated Defendant) and to make any recommendation thereto.

IV. RECOMMENDATIONS

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

2011 REPORT

**ANNUAL REPORT
OF THE
COMMITTEE ON DISCOVERY PROCEDURES
TO THE ILLINOIS JUDICIAL CONFERENCE**

Hon. Maureen E. Connors, Chairperson

Hon. William J. Becker
Hon. Frank R. Fuhr
Hon. Kimbara G. Harrell
Hon. Katherine Gorman Hubler
Hon. Jeffrey W. O'Connor
Hon. Michael Panter

Hon. Barbara N. Petrunaro
Hon. Kenneth L. Popejoy
Prof. Marc D. Ginsberg
Mr. David B. Mueller, Esq.
Mr. Eugene I. Pavalon, Esq.
Mr. Paul E. Root., Esq.

October 2011

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 2012.

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 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 several proposals that were forwarded to it from the Supreme Court Rules Committee.

Supreme Court Rule 201 (General Discovery Provisions)

The proposal sought to amend Supreme Court Rule 201 to make clear that all written discovery responses, including documents and other information produced, must be served upon all other parties in a case, rather than service merely upon the party that propounded the discovery initially. The Committee agreed that there should be sharing of documents; however, it expressed concern about the cost for producing the documents. The Committee also indicated that there should be the ability to "opt-out" of receiving the actual documents.

In light of its concerns with the existing proposal, the Committee voted to reject the proposal to amend Rule 201 and adopted an alternative proposal to amend Supreme Court Rules 214 and 216 to clarify the issue of whether the parties responding to Rule 214 requests and the parties serving and responding to Rule 216 requests are required to serve all parties to

the litigation copies of the request and response. Specifically, the proposal to amend Rule 214 requires the responding party to identify but not attach the materials responsive to the request and either copy them or make them available for copying or inspection. It also requires that requests and responses be served on all parties entitled to notice. The intent of the alternative proposal is that all parties entitled to notice receive the request and response and that said parties have the option of not receiving the documents, particularly where the pages are voluminous. The proposal to amend Rule 216 requires that the request to admit and the response be served on all parties entitled to notice. Pursuant to Supreme Court Rule 3, the Committee forwarded its recommendation and proposal to the Supreme Court Rules Committee.

Supreme Court Rule 208 (Fees and Charges; Copies)

The Committee considered a proposal to amend Supreme Court Rule 208 to clarify that deposition fees and expenses of controlled expert witnesses should be borne by the party who has retained the expert witness and not the party deposing the witness. The Committee voted to recommend adoption of the proposal. The Committee agreed that the person who retains the controlled expert witness should be responsible for payment of his/her fees and expenses. The Committee also noted that the proposal eliminates any discussion regarding responsibility for the payment of fees/expenses. Pursuant to Supreme Court Rule 3, the Committee forwarded its recommendation to the Supreme Court Rules Committee.

Supreme Court Rule 211 (Effect of Errors and Irregularities in Depositions; Objections)

The Committee considered a proposal to amend Supreme Court Rule 211 to provide that the rule only requires objections at evidence depositions and not discovery depositions. The Committee voted to reject this proposal since it does not achieve its goal of curing the problem of too many objections at discovery depositions given that parties would still be able to object. Moreover, the Committee noted that the recent amendment to Supreme Court Rule 212 (a)(5) reduces the distinction between discovery and evidence depositions. Pursuant to Supreme Court Rule 3, the Committee forwarded its recommendation to the Supreme Court Rules Committee.

Proposed New Supreme Court Rule - Inadvertent Disclosures in Discovery

This proposal sought to create a new Supreme Court Rule establishing a procedure for asserting privilege or work product following inadvertent disclosures in discovery. The Committee voted to recommend adoption of this proposal. The Committee agreed that a procedure was necessary for addressing situations where information is inadvertently disclosed during discovery. The Committee noted that such inadvertent disclosures often arise in cases

involving large numbers of documents. Pursuant to Supreme Court Rule 3, the Committee forwarded its recommendation to the Supreme Court Rules Committee.

B. Conference Year 2010 Continued Projects/Priorities

The following subjects represent the projects/priorities assigned by the Supreme Court to the Committee for consideration in Conference Year 2010, which were extended into Conference Year 2011.

First and foremost, the Committee has focused its attention on the issue of e-Discovery. The Court requested that the Committee draft proposed amendments to select Supreme Court Rules, which may be modeled on the federal amendments, as well as guidelines, to assist trial court judges in addressing e-Discovery issues. Last Conference year, the Committee formed a subcommittee to address this task. After surveying other states and case law, the subcommittee reported this conference year to the Committee that approximately 20 states have adopted the federal court rules on e-Discovery. Instead of merely adopting the federal rules on this issue, the subcommittee recommended that the Committee focus initially on defining electronically stored information given that Supreme Court Rule 201(b)(1) (Scope of Discovery) merely refers to "all retrievable information in computer storage." More specifically, the subcommittee suggested amending Illinois' discovery rules by adopting the definition for electronically stored information as contained in Federal Rule 34(a)(1)(A)(including writings, drawings, graphs, charts, photographs, sound recordings, images and other data or data compilations stored in any medium from which information can be obtained either directly or, if necessary, after translation by the responding party into a reasonably usable form). The Committee agreed to move forward with proposing amendments to current rules to incorporate this definition.

The subcommittee also has been monitoring the review of the e-Discovery federal rules currently underway in the Northern District. It reported to the Committee on the Seventh Circuit Electronic Discovery Pilot Program's Report on Phase One. That report focuses on early resolution of disputes concerning electronically stored information so as to reduce discovery disputes. For example, the report emphasizes the importance of attorneys initially meeting to propose a path of discovery and address discovery issues early on before meeting with the judge at the initial status conference. The intent is to address these matters early on so as to determine the existence of electronically stored information and to avoid discoverable material arising on the eve of trial. The subcommittee therefore recommended that there be a mandatory pre-case management conference mandating a meeting of the attorneys to address all discovery including any electronically stored information involved in the case. This

conference to discuss e-Discovery issues would occur before the case management conference with the court. The Committee adopted the subcommittee's proposal of a pre-case management conference and decided to move forward with proposing amendments to Supreme Court Rules to incorporate such a conference, including possible incorporation into Supreme Court Rule 218 with respect to the case management conference.

Also pending with the Committee is consideration of two issues that relate to its discussion of e-Discovery. First, the Committee has deferred discussion on exploring the feasibility of a rule requiring mandatory disclosure of relevant documents given the increasing problem of parties not receiving relevant information before trial. Second, the Committee has deferred discussion on whether to require that documents, produced pursuant to a Supreme Court Rule 214 request, be labeled to correspond with the specific categories in the written request so as to allow the requesting party to reasonably identify the specific category in the request that corresponds to each produced document. Members of the Committee have indicated that it is a great aid in moving a case along to label and organize documents. Nevertheless, given that both issues potentially impact e-Discovery, the Committee deferred its discussion on these issues until it drafts proposed amendments to Supreme Court Rules regarding e-Discovery.

Finally, the Committee continued with its consideration of proposed amendments to Supreme Court Rule 214 to permit business records produced by a party to be presumptively admissible during discovery absent foundation testimony. In its discussions, the Committee noted that such a rule could enhance the speed of the trial by avoiding calling witnesses to authenticate documents when no genuine question exists as to the foundation of the document. The Committee's discussion also focused on a concern that the proposed amendments assume that documents are admitted into evidence and that it can be a trap for the unwary. The Committee therefore decided to focus its future discussions on amending Rule 218 as opposed to Rule 214 to include language on foundation experts as a consideration at the case management conference.

III. PROPOSED COMMITTEE ACTIVITIES FOR THE NEXT CONFERENCE YEAR

During the 2012 Conference Year, the Committee requests that it be permitted to address pending projects continued from the prior Conference year. The Committee also 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.

2011 REPORT

**ANNUAL REPORT
OF THE
COMMITTEE ON EDUCATION
TO THE ILLINOIS JUDICIAL CONFERENCE**

Hon. Lisa Holder White, Chair

Hon. Robert J. Anderson
Hon. Andrew Berman
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Hon. Jerelyn D. Maher
Hon. Katherine M. McCarthy
Hon. Gregory K. McClintock
Hon. Michael J. Murphy
Hon. William Timothy O'Brien
Hon. Tracy W. Resch
Hon. Daniel B. Shanes
Hon. Scott A. Shore
Hon. Ronald D. Spears

October 2011

I. STATEMENT ON COMMITTEE CONTINUATION

Consistent with the purpose and provisions of the Supreme Courts' *Comprehensive Judicial Education Plan for Illinois Judges*, the Committee on Education was established to identify the educational needs of the Illinois judiciary and design educational programs to meet those needs. In Conference Year 2011, the Committee received a charge to develop and recommend a calendar of judicial education programs for new and experienced jurists that reflected substantive and procedural issues and ethical and professional subject areas of significance to members of the Illinois judiciary, in partnership with the Administrative Office. The Committee's charge included the identification of content faculty and the presentation of topics through the delivery of mini (one day) and regional (two day) seminars, New Judge Seminar, the Advanced Judicial Academy, Faculty Development and Education Conference. In conjunction with the general charge to the Committee, the Court provided the following list of Conference Year 2011 projects and priorities:

- Design, deliver and evaluate the 2011 New Judge Seminar.
- Design, deliver and evaluate the Mini and Regional Seminars for the 2010-2011 Seminar Series.
- Design, deliver, and evaluate the 2011 Advanced Judicial Academy to be held June 13-16, 2011.
- Design, deliver, and evaluate the 2011 Faculty Development Workshop to be held September 15-16, 2011.
- Engage in recruitment of faculty that represent diverse geographic, racial, ethnic, gender and cultural differences.
- Work in coordination with the Administrative Office of the Illinois Courts in the drafting, editing and peer review of the Illinois Judicial Benchbooks on Criminal Law and Procedure, Civil Law and Procedure, Domestic Violence, DUI/Traffic Issues, Evidence and Family Law and Procedure.
- Undertake any such other projects or initiatives that are consistent with the Committee charge.

II. SUMMARY OF COMMITTEE ACTIVITIES

New Judge Seminar

New Judge Seminar is a week long seminar for judges who have recently transitioned to the bench. Over the course of a week, judicial ethics and conduct, as well as a diverse range of emerging legal and procedural subject matters are presented and discussed by experienced judicial faculty. Faculty presentations will continue to focus on the need to assist new judges in developing the skills of successful, effective and knowledgeable jurists. This curriculum approach encourages faculty to include question and answer sessions, role playing and problem solving scenarios whenever possible. Informational kiosks continue to be a popular option. These brief, practical information sessions, allow judges to gain insight on topics not otherwise addressed in seminars, including: *Completion of Travel Vouchers, Economic Interest Statements, Substitution of Judge Issues and Sealing Court Files.*

The January 2011 *New Judge Seminar* was presented to 82 new judges and received an overall evaluation rating of 4.7 out of 5.0. The Court has approved the agenda and faculty for the December 5-9, 2011 *New Judge Seminar*, and planning is progressing as scheduled.

2010-2011 Seminar Series

The Committee on Education seminar series is generally composed of one day mini seminars and two day regional seminars hosted in either the Chicago area or Springfield. Seminars offer the opportunity to present a broad range of topics of major significance to members of the Illinois judiciary worthy of in-depth review and discussion. Three seminars were presented as part of the 2010-2011 Seminar Series: *Predicting Violent Behavior in Custody and Visitation* (Fall 2010-Itasca, overall rating 4.9/5.0); *Search and Seizure at Home and on the Road* (Winter 2011-Springfield, overall rating 4.7/5.0); and *DUI/Traffic Issues* (Spring 2011-Lisle, overall rating 4.9/5.0).

2011 Advanced Judicial Academy

Authors and journalists joined law professors, guest judges, economic experts, a theatrical group and members of the Illinois judiciary in presenting the sixth biennial *Advanced Judicial Academy*, held June 13-16, 2011 at the University of Illinois College of Law in Champaign. The theme, *To Have or Have Not: The Impact of Poverty & Wealth on Justice*, was explored over three and one-half days through the daily sub-themes of *Law & Social Change*,

Access to Justice and *Law & Economics*. With 77 judges, from a cross-section of the state in attendance, the Academy garnered an overall evaluation rating of 4.7 out of 5.0.

Faculty Development

A faculty development workshop will be held September 15-16, 2011 in Oakbrook as part of the preparation for Education Conference. The Workshop will provide Conference faculty with a professional development opportunity and time to meet with co-faculty about Ed Con 2012 sessions. Presentations and discussions will highlight adult learning theories, presentation design and content and the effective use of technology, along with optional *PowerPoint* "how-to" sessions.

Faculty Recruitment

The Administrative Office maintains a database of members of the Illinois judiciary who have indicated their interest in serving as faculty, or members of a Benchbook writing team. Volunteer forms, approved by the Committee, are distributed by the Administrative Office at all judicial education events, and posted on the Court's official website. The faculty database is an excellent resource for the Committee and will continue to play a significant role in the identification of experienced volunteers.

Comprehensive Judicial Education Plan

The Committee on Education proposed extensive revisions to the *Comprehensive Judicial Education Plan for Illinois Judges*. The Plan as adopted by the Court this Conference year, makes the following provisions for faculty and participant credit at approved events: a) judges earn three hours of continuing judicial education (CJE) credit for each hour taught or facilitated at an approved program and b) participants earn one credit hour of CJE for each hour of attendance at an approved judicial education event. The newly adopted Plan also eliminates the provision that required the AOIC to provide case summaries. The Plan is attached as Exhibit A.

Illinois Judicial Benchbooks

The Illinois Judicial Benchbooks have proven to be valuable educational resources for judges in chambers and on the bench. Benchbooks are updated annually, or new editions are proposed, as recommended by the Project Benchbook Editorial Board of the Committee on Education. The following benchbooks are available on CD, the judicial portal or in hard copy: *Civil Law and Procedure*, *Criminal Law and Procedure*, *Domestic Violence*, *DUI/Traffic*, *Evidence*, and *Family Law and Procedure*. Benchbooks are evaluated on a volunteer basis through narrative feedback surveys distributed with benchbook products. Comments regarding the usefulness of benchbooks continue to be positive. By the end of the 2011 Conference Year, over 3,000 copies of benchbooks will have been distributed in various formats.

Non-Judicial Conference Judicial Education Programs and Providers

Request for approval of non-judicial conference judicial education credit hours have decreased following the Court's determination that Illinois judges receive thirty hours of judicial education credit during the biennial meeting of Education Conference. However, when requests are received, the Committee on Education, through its workgroup, reviews requests based upon criteria set forth in the Comprehensive Judicial Education Plan, and makes recommendations to the Court based upon each program or provider's consistency with the criteria stated in the Plan.

III. PROPOSED COMMITTEE ACTIVITIES FOR THE NEXT CONFERENCE YEAR

The Committee proposes to continue activities related to the activities noted below:

Education Conference 2012

The Committee will continue final plans for the delivery of Education Conference 2012 which will be held at the Swissotel Chicago, January 30 - February 3, 2012 and April 16 -20, 2012. By the meeting of the October 2011 Judicial Conference, a substantial amount of planning and preparation for Education Conference 2012 will be complete. The 2012 Conference will offer a flexible format through the presentation of sixty sessions, many repeated more than once over five days, ranging in subject matter under the major tracks of Civil, Criminal, Family, and Ethics, Judicial Conduct & Professionalism. The flexible format will again provide judges with the opportunity to begin Monday afternoon with "pre-conference" sessions, or Tuesday with the

Plenary, and end Thursday, or Friday, depending upon one's selection of sessions. The number of early bird sessions has increased and Kiosks, brief informational sessions, popular at New Judge Seminar, will also be offered at the 2012 Education Conference, adding even more flexibility to scheduling through thirty minute end of day presentations.

2012-2013 Seminar Series

The Committee will consider topics suitable for presentation as either a mini or regional seminar for the 2012-2013 seminar series and make specific recommendations to the Court along with proposed faculty, if so determined. The *DUI/Traffic Issues* regional seminar is an Illinois Department of Transportation funded event. The Committee expects to continue to deliver this seminar consistent with grant funding as part of the seminar series.

New Judge Seminar

The Committee will continue to engage in the evaluation, review and planning of New Judge Seminars to ensure the delivery of seminars consistent with the Court's *Statement of Expectations*.

Illinois Judicial Benchbooks

The Committee will continue efforts to update and or revise the six Illinois Judicial Benchbooks based upon significant changes in legal authorities.

IV. RECOMMENDATIONS

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

2011 REPORT

Exhibit A

EXHIBIT A**Comprehensive Judicial Education Plan for Illinois Judges****I. Statement of Purpose****II. Judicial Education Programs**

- A. General Policies**
- B. Judicial Education Credit for Attendees**
- C. Judicial Education Credit for Teaching**

III. Illinois Judicial Conference Education Programs

- A. Policies and Procedures**
 - 1. Planning, Development and Administration
 - 2. Criteria for Attendance Approval by the Chief Judge or his/her designee
 - 3. Approval Procedure
- B. Judicial Conference Education Programs**
 - 1. Education Conference
 - 2. New Judges
 - 3. Illinois Judicial Conference Seminars
 - 4. Advanced Judicial Academy
 - 5. Faculty Development
 - 6. Judicial Benchbooks
 - 7. Other Judicial Education Services

IV. Non-Judicial Conference Judicial Education Programs

- A. General Policies Governing Attendance at Non-Judicial Conference Judicial Education Programs**
- B. Attendance at Non-Judicial Conference Judicial Education Programs**
 - 1. Criteria for Approval by the Chief Judge or his/her designee
 - 2. Procedure for Approving Attendance at Non-Judicial Conference Education Programs

Long-Term Projects
(Appendix A)

Approved Non-Judicial Conference Judicial Education Programs
(Appendix B)

Request for Approval of Non-Judicial Conference Judicial Education Programs
(Appendix C)

Judicial Education Division
(Appendix D)

Foreword

On behalf of the Supreme Court, I am pleased to present this Comprehensive Judicial Education Plan for Illinois Judges. In doing so, the Court submits this Plan as the framework for judicial education in Illinois and the means by which judges can continually enhance their judicial skills. On behalf of the Supreme Court, I extend appreciation to the Committee on Education for its efforts in developing Illinois' premier judicial education programs and encouraging every judge to take advantage of the educational opportunities available through the Illinois Judicial Conference. Judicial education is a primary means of satisfying that obligation. To that end, the Court has established that all judges complete, biennially, 30 hours of continuing judicial education.

Under the Canons of the Judicial Code of Conduct, and consistent with the Supreme Court's Statement of Expectations for Illinois Judges, it is an obligation of office that each judge in Illinois work to attain, maintain and advance a high level of judicial competency. As two of the pillars of the Comprehensive Judicial Education Plan, the court requires judicial attendance at the New Judge Seminar and the Education Conference. First, the annual New Judge Seminar aids in transitioning from bar to bench and provides new jurists with myriad practical skills needed to effectively and efficiently manage their courtrooms. Second, the biennial Education Conference provides a rich array of workshops and seminars within designated tracks that address issues pertinent to all Illinois judges. Additionally, the biennial Judicial Academy, which features world-renowned faculty, and an annual comprehensive seminar series are available to Illinois judges.

These programs, as offered through the Illinois Judicial Conference, in conjunction with other judicial branch education such as the Annual Appellate Court Conference, Capital Case Seminars, New Judge Mentoring, and training in Child Welfare and Probation practices comprise the Court's Comprehensive Judicial Education Plan for Illinois Judges.

Please take a few moments to familiarize yourself with the Statement of Purpose, the programs, policies, and procedures contained herein as well as the varied and high-quality judicial education resources offered through the Comprehensive Judicial Education Plan.

Chief Justice

I. Statement of Purpose

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.

The purpose of this Plan is to expand and enhance the judicial education opportunities available to Illinois judges. This Comprehensive Judicial Education Plan will provide judges at all stages of their judicial careers with:

- a means by which they can remain current in their understanding of developing areas of the law;
- the opportunity to increase their knowledge of specific substantive and procedural topics;
- the opportunity to increase their knowledge in matters relating to court administration and management;
- a forum to communicate and interact with other judges.

This Plan is designed to structure and deliver judicial education in Illinois, making the best use of resources available to state government. It is a framework for judicial education that can be built upon in future years and evolve with the needs of the Illinois judiciary.

II. Judicial Education Programs

A. GENERAL POLICIES

The following general policies shall govern attendance by judges at judicial education programs:

1. The Supreme Court of Illinois has established that all Illinois judges complete, biennially, 30 hours of judicial education is defined as an organized program of learning contributing directly to the professional or personal development of a judge and designed specifically for an audience of judges.
2. Judges must obtain approval from the chief circuit judge or his/her designee to attend any course held during their scheduled court time or for which any portion of the cost of attendance is to be paid by any governmental agency.
3. Chief judges should make every effort, through reallocation of judicial resources and advance scheduling, to accommodate a judge's request to plan, teach, or attend judicial education programs. In general, efforts should be made to ensure court calls are not canceled.

B. JUDICIAL EDUCATION CREDIT FOR ATTENDEES

1. The award of participant credit hours for attendance at any judicial branch education program shall be determined by the use of a standard calculation—one hour of participant credit for one hour of instructional time.
2. The number of credit hours awarded for attendance at a non-Judicial Conference education program shall equal the number of credit hours awarded by the sponsoring

organization for continuing judicial education. If the sponsoring organization has not awarded continuing education hours, the Committee on Education shall determine, subject to approval by the Supreme Court or its designee, the number of credit hours to be awarded.

C. JUDICIAL EDUCATION CREDIT FOR TEACHING

Illinois judges and retired judges who serve as faculty for judicial education programs shall receive judicial education credit for both their preparation time and instruction time as noted below:

1. Judicial Conference and Non Judicial Conference Courses: Illinois judges who instruct at judicial branch education programs shall be credited with three (3) credit hours per instructional hour of presentation or facilitation.

III. Illinois Judicial Conference Education Programs

A. POLICIES AND PROCEDURES

1. Planning, Development and Administration

a. By January 1 of each year, the Committee on Education shall submit to the Supreme Court for approval its Plan containing those seminars, academies and conferences recommended for provision during the following fiscal year. The Plan shall also include recommended revisions, if any, to the Comprehensive Judicial Education Plan.

b. By September 1 of each year, the Committee on Education shall submit an annual report to the Illinois Judicial Conference regarding the judicial education programs conducted during the preceding fiscal year. The annual report may include long-term goals and include recommendations for development of new programs and educational opportunities.

c. The Administrative Office of the Illinois Courts shall provide the administrative support necessary to plan and conduct all Illinois Judicial Conference judicial education programs.

d. The Administrative Office shall reimburse transportation, per diem and lodging expenses related to planning, teaching, and attendance at Judicial Conference education programs according to Judicial Branch policies governing travel by judges.

e. Attendees at Judicial Conference education programs shall be given the opportunity to confidentially evaluate all programs regarding the subject matter, reading materials and faculty presentations. The Committee on Education and the Administrative Office shall design a model to measure the overall effectiveness of judicial education programs.

f. The Administrative Office shall utilize sources of grant or scholarship funding to assist in the support of judicial education. Any funding accepted shall be without conditions from the funding agency as to control of content or faculty. Any grant funding received will be used in addition to appropriations from the Legislature for funding Illinois judicial education. Any questions regarding utilization of the grant funding will be resolved by the Supreme Court or the Director of the Administrative Office as its designee.

2. Criteria for Attendance Approval by the Chief Judge or Designee

The chief judge or his/her designee, when determining whether to approve attendance at a judicial education program, shall consider the following:

- a. The Supreme Court's mandate that every judge attend 30 hours of judicial education biennially.
- b. The goal of accommodating judges' requests without unnecessarily disrupting the administration of court schedules.
- c. The relevance of the particular course to the present and/or potential assignments of the judge.
- d. The needs of the judicial circuit for a judge to be educated on a particular topic.
- e. Prior attendance at education courses by judges within the circuit, with a goal of providing equal opportunity for all judges to attend judicial education programs.

3. Approval Procedure

The chief judge or his/her designee will indicate approval by signing the applying judge's seminar registration form.

B. JUDICIAL CONFERENCE EDUCATION PROGRAMS

The education programs of the Illinois Judicial Conference will in general include an education conference, an advanced judicial academy, a new judges seminar, regional seminars, and mini-seminars.

1. Education Conference

- a. Purpose. An education conference shall be conducted to provide a range of judicial education and professional development activities for Illinois judges.
- b. Duration and Scheduling. With the approval of the Supreme Court, the conference shall be held biennially in even numbered calendar years and shall be of sufficient length to provide 30 hours of judicial education for each participant. The same conference will be held twice, with half the state's judges participating in one meeting and the other half in a second meeting. The conference meetings will be held in as close proximity to one another as scheduling permits.
- c. Location. With the approval of the Supreme Court, the conference shall be held in Cook County.
- d. Attendance. Each conference meeting shall have a blended population of associate, circuit and appellate court judges. All judges in the state shall be assigned to attend one of the two meetings. Attendance at the conference is mandatory and shall satisfy a judge's 30 hour judicial education mandate. If, due to unforeseen circumstances such as illness, a judge is unable to complete the 30 hour Education Conference mandate, then he/she shall make up any deficiency by attendance at Judicial Conference regional or mini seminars or any other Illinois Supreme Court sponsored judicial branch education programs.

e. Curriculum. The Committee on Education shall plan a wide range of continuing judicial education programs and activities that cover the core curriculum areas of judicial ethics and conduct, substantive and procedural law, procedural and technological developments, and personal and professional development. All conference meetings shall include a session on judicial ethics and conduct.

f. Faculty. The Committee on Education shall recruit faculty who shall consist of judges, retired judges not engaged in the practice of law, and law professors. For the purposes of this Plan, a retired judge engaged solely in the provision of mediation and/or arbitration services shall not be considered to be engaged in the practice of law. Additionally, faculty representing other disciplines (e.g., medical doctors, psychologists, accountants or others) may be utilized upon the recommendation of the Committee on Education and with the approval of the Supreme Court to discuss non-legal topics encountered by judges. The Committee on Education shall recommend faculty based on their expertise in the subject matter and ability to prepare and present educational material effectively. Each faculty committee shall be chaired by a judge with prior teaching experience.

g. Reading Materials. Faculty shall prepare appropriate reading materials. The Administrative Office of the Illinois Courts shall work with all faculty committees to ensure that they are aware of and follow the benchbook format requirements promulgated by the Committee on Education.

2. New Judges

One of judicial education's most important functions is providing comprehensive education and training for new judges to acquaint them with necessary legal knowledge and skills for everyday use on the bench. Orientation for new trial court judges shall begin as soon as possible after the election or selection of the judge.

a. Written Materials: The AOIC shall provide the new judge with the most recent New Judge Seminar notebooks, the Code of Judicial Conduct (Supreme Court Rules 61-71), and an order form listing the benchbooks produced by the Committee on Education (Civil Law and Procedure, Criminal Law and Procedure, Domestic Violence, DUI/Traffic, Evidence, and Family Law and Procedure) and the benchbooks produced by the Illinois Judicial Conference Study Committee on Juvenile Justice, and other resources identified by the Committee on Education. These materials shall be sent to the new judge prior to the new judge's taking the bench or as soon as possible thereafter.

b. New Judge Seminar

(1) Purpose: The New Judge Seminar shall provide intensive education and training to new judges in substantive legal areas, courtroom management, and judicial ethics and conduct.

(2) Duration and Scheduling: The New Judge Seminar shall be five days in length and shall be held annually in December in non-election years, and January following the year of a general election, unless otherwise directed by the Supreme Court.

(3) Attendance: Attendance shall be mandatory for all persons who have taken office since the preceding New Judge Seminar and have not previously served as a judge.

(4) Curriculum: The New Judge Seminar curriculum shall focus on the following areas: (1) judicial ethics and conduct, (2) substantive law, (3) procedural matters, (4) courtroom management.

(5) Faculty: Faculty shall consist of judges, retired judges, (See section III.B.1.f. for definition of a retired judge), full-time law professors, current and former members of the Judicial Inquiry Board, and faculty representing other disciplines (e.g. medical doctors, psychologists, accountants or others). The Committee on Education shall recommend the faculty based upon their expertise in the subject matter and ability to prepare and present educational material effectively.

(6) Reading Materials: The faculty shall provide reading materials to accompany their presentations. The Administrative Office of the Illinois Courts shall work with all faculty members to ensure that they are aware of the benchbook format requirements promulgated by the Committee on Education.

3. Illinois Judicial Conference Seminars

a. Regional Seminars

(1) Purpose: Regional seminars provide an opportunity for detailed study of a specific area of interest. While serving as an intensive educational experience, these sessions also allow for communication and interaction among judges throughout Illinois.

(2) Duration and Scheduling: A two-day format will be utilized for regional seminars. A regional seminar is equivalent to fifteen (15.0) continuing judicial education hours.

(3) Number and location: In years in which no education conference is held, up to five regional seminars may be scheduled each year, subject to the approval of the Supreme Court and available funding. In years in which an education conference is held, up to three regional seminars may be scheduled. Seminar sites will be selected to promote and encourage judicial attendance throughout the state.

(4) Curriculum: The Committee on Education shall consider, but not be limited to, the following core curriculum areas when planning the annual regional seminar schedule:

(a) Substantive and Procedural law.

(i) Criminal law and procedure.

(ii) Civil law and procedure.

(iii) Evidence.

(iv) Supreme Court Rules.

(v) Juvenile law.

(vi) Family law.

(b) Procedural and Technological Developments.

- (i) Trial management.
- (ii) Settlement techniques.
- (iii) Caseflow management.
- (iv) Personal computers in the courts.
- (v) Trends in technology and court automation.

(c) Judicial Ethics and Conduct.

- (i) Code of Judicial Conduct.
- (ii) Bias in the courts.
- (iii) Pro se and indigent litigants
- (iv) Literature and the law.

(d) Personal and Professional Development.

- (i) Judicial writing.
- (ii) Effective communication through the media.
- (iii) Alcohol, drugs and the courts.
- (iv) Stress management.
- (v) Court management.

The curriculum shall include topics that appeal to and challenge associate, circuit and appellate court judges; appeal to metropolitan as well as rural judges; and address the education needs of new judges as well as experienced judges.

(5) Faculty: The Committee on Education shall recruit regional seminar faculty who shall consist primarily of judges, and retired judges (See section III.B.1.f. for definition of a retired judge),_assisted by full-time law professors as needed. Each faculty committee shall be chaired by a judge with prior seminar teaching experience. Faculty representing other disciplines (e.g., medical doctors, psychologists, accountants or others) may be utilized upon the recommendation of the Committee and with the approval of the Supreme Court to discuss non-legal topics encountered by judges. The Committee on Education shall recommend faculty based upon their expertise in the subject matter and ability to prepare and present educational material effectively.

(6) Reading Materials: The faculty for all regional seminars shall provide appropriate reading materials. The Administrative Office of the Illinois Courts shall work with all faculty committees to ensure that they are aware of the benchbook format requirements promulgated by the Committee on Education. Reading materials may be mailed to seminar participants in advance of the seminar at the direction of the seminar faculty.

b. Mini-Seminars

(1) Purpose: The mini-seminar provides education and information to judges on specific substantive and procedural topics in a condensed time period.

(2) Duration and Scheduling: Each mini-seminar shall be approximately six hours in length. A mini seminar is equivalent to six (6.0) continuing judicial education hours.

(3) Number and Location: In a year in which no education conference is held, up to four mini-seminars may be scheduled each year, subject to the approval of the Supreme Court and available funding. In years in which an education conference is held, up to two mini seminars may be scheduled. Seminar sites will be selected to promote and encourage judicial attendance throughout the state.

(4) Curriculum: mini-seminars will address substantive and procedural topics of broad interest that are capable of an in-depth analysis in sessions of approximately six hours. The Committee on Education shall consider, but not be limited to, the same core curriculum areas considered for regional seminars.

(5) Faculty: The Committee on Education shall recruit mini-seminar faculty who shall consist primarily of judges, and retired judges (See section III.B.1.f. for definition of a retired judge), assisted by full-time law professors as needed. Each faculty committee shall be chaired by a judge with prior seminar teaching experience. Faculty representing other disciplines (e.g., medical doctors, psychologists, accountants or others) may be utilized upon the recommendation of the Committee and with the approval of the Supreme Court to discuss non-legal topics encountered by judges. The Committee on Education shall recommend faculty based upon their expertise in the subject matter and ability to prepare and present educational material effectively.

(6) Reading Materials: The faculty for all mini-seminars shall provide appropriate reading materials. The Administrative Office of the Illinois Courts shall work with all faculty committees to ensure that they are aware of the benchbook format requirements promulgated by the Committee on Education. Reading materials may be mailed to seminar participants in advance of the seminar at the direction of the seminar faculty.

4. Advanced Judicial Academy

a. Purpose: The Academy is a residential judicial education program providing experienced jurists the opportunity to renew and re-energize their spirits and rekindle their passion for the administration of justice. With the assistance of outstanding scholars from Illinois and across the nation, the Academy's goal is to explore the law's interaction and potential working relationship with other disciplines and their current and potential effects on how judges do their jobs.

b. Duration and Scheduling: With the approval of the Supreme Court, the Academy may be up to five days in duration and shall be held every other year in non-Education Conference years.

c. Location: With the approval of the Supreme Court, the Academy may be held on the campus of an Illinois law school or other suitable venue.

d. Curriculum: The Committee on Education shall recommend judges who may or may not be members of the Committee on Education to serve on the *Advanced Judicial Academy* planning committee. The planning committee will recommend topics and speakers, and members will serve as mentors and discussion leaders during the week.

e. Faculty: Faculty shall consist of judges and retired judges (as defined in Section III.B.1.f.) and law professors. Additionally, faculty representing other appropriate disciplines may be utilized upon the recommendation of the planning committee, the Committee on Education and with the approval of the Supreme Court. Faculty shall be selected based on their expertise in the subject matter and ability to prepare and present educational material effectively.

f. Reading Materials: Faculty are strongly encouraged to provide reading and reference materials. The Administrative Office of the Illinois Courts shall work with all faculty members to ensure that the materials are prepared or adapted specifically for the Academy.

5. Faculty Development

The Committee on Education, in coordination with the Administrative Office of the Illinois Courts, promotes the highest standards of teaching excellence. Faculty Development Seminars will provide opportunities for judges who serve as faculty to improve their teaching skills by making them aware of adult learning principles and appropriate program development and teaching techniques. All judicial faculty will be strongly encouraged to attend faculty development programs conducted by the Committee on Education and the Administrative Office of the Illinois Courts.

6. Judicial Benchbooks

The Committee on Education, the Administrative Office, and other Supreme Court Committees as charged by the Court, shall coordinate the preparation, production and updates of comprehensive reference materials in the form of Benchbooks for Illinois judges regarding a range of topics and procedures. The Benchbooks are available digitally and as hard bound books. The following Benchbooks are currently available: Civil Law and Procedure, Criminal Law and Procedure, Domestic Violence, DUI/Traffic, Evidence, Family Law and Procedure, and Juvenile Justice (Volumes I and II).

7. Other Judicial Education Services

a. Resource Lending Library

(1) The Administrative Office of the Illinois Courts shall maintain a resource lending library for utilization by the Illinois judiciary. The library shall contain copies of reading materials developed by the Illinois Judicial Conference, recordings developed for Illinois judicial education, and publications and materials from other sources that are of interest to Illinois judges.

(2) The Administrative Office shall prepare a listing of all materials in all forms which it maintains in the resource lending library and shall update the list regularly. This listing of materials shall be made available to each Illinois judge.

b. Electronic Recording of Seminars

In consultation with the seminar faculty, the Committee on Education may annually select one or more seminars to be recorded. The recording will be made available on loan to judges. Whenever a seminar is recorded, the attendees will be notified in advance. No one other than staff of the Administrative Office of the Illinois Courts or other party authorized by the Supreme Court shall be

allowed to bring any audio or video recording equipment into any program of the Illinois Judicial Conference.

IV. Non-Judicial Conference Judicial Education Programs

A. GENERAL POLICIES GOVERNING ATTENDANCE AT NON-JUDICIAL CONFERENCE JUDICIAL EDUCATION PROGRAMS

The Committee on Education shall recommend to the Supreme Court non-Judicial Conference judicial education providers and programs to be approved for attendance by Illinois judges. All approved providers will be reviewed every five (5) years for continued compliance with the required approval criteria, unless an earlier review is deemed necessary by the Committee.

Programs:

1. Judges may attend a non-Judicial Conference judicial education program held during their scheduled court time only if the program has been approved by the Supreme Court of Illinois. See Appendix B for approved providers and programs.
2. Attendance by a judge at an approved non-Judicial Conference judicial education program shall not be counted toward fulfilling a judge's requirement to attend 30 hours of judicial education biennially at the Education Conference.
3. In determining whether to recommend a particular judicial education program for approval to the Supreme Court, the Committee on Education shall consider the following criteria:
 - a. Whether the program can be considered as judicial education, which is defined as an organized program of learning contributing directly to the professional or personal development of a judge and designed specifically for an audience of judges;
 - b. Whether the program deals primarily with matters directly related to Illinois law, or to the professional responsibility or administrative or ethical obligations of an Illinois judge;
 - c. Whether the program is to be taught by a person or persons qualified by practical or academic experience to teach the topic or area of discipline covered by the program;
 - d. Whether high quality written materials are to be distributed to all judges participating in the program; and,
 - e. Whether the program is of sufficient length to provide a substantial educational experience. Programs of less than one (1) hour in length will be reviewed carefully to determine if they furnish a substantial educational experience.

Providers:

4. Approval of a provider of judicial education programs shall constitute approval of programs offered by the provider that deal with matters related to Illinois law, or to the professional responsibility or administrative or ethical obligations of an Illinois judge. In such instances, the Committee on Education, in determining whether to recommend a provider shall consider whether the provider is a recognized organization with an established history of providing balanced educational programs for judges which, if considered on an individual basis, would satisfy the standards for program approval set out in this Plan.

5. The Administrative Office shall post to the Illinois Supreme Court website the non-Judicial Conference education programs and providers approved for attendance by Illinois Judges.

B. ATTENDANCE AT NON-JUDICIAL CONFERENCE JUDICIAL EDUCATION PROGRAMS

1. Criteria for Approval by the Chief Judge or his/her Designee

The chief judge or his/her designee, in determining whether to approve attendance at a non-Judicial Conference program or course, held in or out of the State of Illinois, shall:

- a. Approve attendance at only those education programs that have been approved in accordance with this Plan.
- b. Consider the same criteria to be considered when approving attendance at Judicial Conference education programs.

2. Procedure for Approving Attendance at Non-Judicial Conference Judicial Education Programs

- a. Upon receiving an application to attend a non-Judicial Conference judicial education program, the chief judge or his/her designee shall consult the list of approved non-Judicial Conference programs. If the program the applying judge wishes to attend appears on the list, the chief judge or his/her designee may approve attendance.
- b. If the program does not appear on the approved list, the chief judge or his/her designee shall consider the criteria listed above in IV.A.3 before permitting a judge to attend. If the judge wishes to request approval of a particular non-Judicial Conference program so that he/she may obtain reimbursement for attendance or approved time away from the bench, he/she must complete and submit the form found in Appendix C of this Plan.

Appendix A: Long-Term Projects

The Supreme Court has authorized the Committee on Education to study the following items for possible implementation in the future:

A. Technology: The Committee on Education and the Administrative Office of the Illinois Courts will study and recommend the use of various technologies to aid in delivering effective distance educational programs.

B. Any other special long term projects that the Committee on Education recommends to the Court.

Appendix B: Non-Judicial Conference Judicial Education Programs

Please refer to the following lists for programs approved for attendance by Illinois judges.

If you are interested in attending a program, contact the sponsoring organization directly.

Please note that unless specifically approved by the Court, bar association courses other than those sponsored by the judicial divisions of the American and National Bar Associations are not approved.

Judicial Education Programs Approved for Attendance by Illinois Judges

Please click on the links below to view the details about the specific judicial education programs that have been approved for attendance by Illinois Judges:

[American Institute for Justice, Inc.](#)

George Mason Law & Economics Center

[Illinois State Bar Association, 2008 Allerton Conference](#)

National Association of Drug Court Professionals

National Association of Women Judges

[Northwestern Law's Judicial Education Program](#)

Approved Providers of Judicial Education for Attendance by Illinois Judges

Please click on the links below to view the details about the approved providers of judicial education programs. All judicial education programs sponsored by the following organizations are approved for attendance by Illinois judges:

[American Judicature Society](#)

[Judicial Division of the American Bar Association](#)

[Illinois Association of Drug Court Professionals](#)

[Illinois Traffic Court Conference](#)

[Institute for Court Management of the National Center for State Courts](#)

[Institute of Judicial Administration \(New York University\)](#)

[Judicial Council of the National Bar Association](#)

[National Council of Juvenile and Family Court Judges](#)

[National Judicial College](#)

[Pound Civil Justice Institute](#)

[Supreme Court Committee on Capital Cases](#)

Appellate Court Administrative Committee (Appellate Court Seminar)

Appendix C: Request for Approval of Non-Judicial Conference Judicial Education Programs

Administrative Office of the Illinois Courts
Request for Approval of
Non-Judicial Conference Judicial Education Programs

Please note that programs must meet the criteria as listed in IV.A.3 of this Plan in order to be recommended for approval.

.....
Name

Circuit/Appellate District

.....
Phone number

Email address

Program Title	Sponsoring Organization	Date and Location

* * * Please attach the program's agenda or registration form * * *

.....
Applicant's signature

Date

Send this form and attachments to:

Attn: Judicial Education Division – CJE Credit
 Administrative Office of the Illinois Courts
 222 N. LaSalle Street, 13th Floor
 Chicago, IL 60601
 Tel: (312) 793-3250 Fax: (312) 793-5187

If you have questions, please call 312-793-2125. Please allow six months for review, recommendation, and response.

Appendix D: Administrative Office of the Illinois Courts Judicial Education Division

To inquire about seminar registration please contact:

Administrative Office of the Illinois Courts
222 N. LaSalle Street, 13th Floor
Chicago, IL 60601
Telephone: (312) 793-2125
Fax: (312) 793-5187

2011 REPORT

**ANNUAL REPORT
OF THE
STUDY COMMITTEE ON COMPLEX LITIGATION
TO THE ILLINOIS JUDICIAL CONFERENCE**

Hon. Carolyn Quinn, Chair

Hon. Dinah J. Archambeault
Hon. Nancy Jo Arnold
Hon. Eugene P. Daugherty
Hon. Thomas E. Hoffman

Hon. Joan E. Powell
Mr. William R. Quinlan, Sr., Esq.
Hon. Christopher C. Starck
Hon. Thaddeus L. Wilson

Professor Martha A. Pagliari

October 2011

I. STATEMENT ON COMMITTEE CONTINUATION

The purpose of the Illinois Judicial Conference Study Committee on Complex Litigation is to make recommendations, through proposed rules or other procedures, to reduce the cost and delay typically associated with protracted civil and criminal trials often involving multiple parties, multiple issues, and/or unique substantive or procedural considerations. Historically, the Study Committee's work was primarily focused on providing yearly updates to its Manual for Complex Litigation (Civil and Criminal). In that regard, the Study Committee was charged with preparing revisions, updates and new topics, as necessary, for the Manual for Complex Litigation, including the maintenance of forms accurate to the Manual Appendices. During the past few Judicial Conference years, the Study Committee members also have, at the Supreme Court's request, researched and offered proposed rules, policies and procedures recommended to improve the administration of justice in complex litigation cases. The Study Committee members generally have included Illinois circuit court and appellate court judges statewide who possess significant civil and/or criminal complex litigation experience.

For **Conference Year 2011**, the Supreme Court's charge to the Study Committee contained two continued projects/priorities from Conference Year 2010. First, the Study Committee was asked to draft the Fourth Edition of the Civil Manual, a project that was initiated during Conference Year 2009. Second, the Study Committee was asked to review the IJC Committee on Education Criminal Law and Procedure Benchbook and consider appropriate revisions to the Manual on Complex Criminal Litigation so that the two resources remain unique and do not significantly overlap in information. This project also had been carried over from Conference 2009, as the Committee awaited completion of the COE Criminal Law and Procedure Benchbook. Last, the members were asked to complete such other projects or initiatives that would be consistent with its charge.

The Study Committee believes that its work continues to be of great value to the mission of the Conference. Specifically, completion of the new edition of the Civil Manual, and the significant revisions identified and contemplated for the Criminal Manual, will be critical to providing unique references for Illinois judges presiding over complex litigation. As such, the Committee respectfully requests that it be continued as a full standing committee of the Illinois Judicial Conference in order to complete its work on the Civil and Criminal Manuals.

II. SUMMARY OF COMMITTEE ACTIVITIES

The following offers a brief summary of the Study Committee's work on those projects/priorities carried over from Conference Year 2010 and undertaken in Conference Year 2011.

A. Conference Year 2010 Continued Projects/Priorities**1. Draft a 4th Edition of the Civil Manual**

During Conference Year 2011, the Study Committee largely focused on drafting the remaining chapters of the new Fourth Edition of the Civil Manual. In discussions during prior Conference years, the Committee had agreed that the new Civil Manual should fulfill its original intended purpose as a “how-to” guide for judges who may, or may not, regularly preside over complex litigation, or who may find that a fairly straightforward case has become complex and protracted. To best achieve this goal, the Study Committee agreed to compile a more practical guide to complex litigation, offering an overview of general issues in the first chapters, such as discovery, settlement and trial, then narrowing the focus in later chapters to more specialized issues, such as class actions, mass torts, and complex insurance coverage disputes.

The Study Committee continued the drafting process it had initiated during the prior Conference years. Briefly, after the various topics were assigned to the Committee members, a draft outline was created and approved by the full Committee. The Professor/Reporter then began drafting the text for each chapter, starting with the general topics. Upon completion, the draft chapter or section was forwarded to the Committee member assigned to that topic for review and comment. The full Committee discussed the final draft at the next meeting. The Professor/Reporter made the requested revisions, if any, and the Committee voted for final approval of the text at a subsequent meeting.

Similar to the approach undertaken by the Committee on Education Benchbook Project, the Study Committee members adopted various strategies for structuring the Fourth Edition which are intended to enable a judge to locate and reference information quickly. During Conference Year 2010, the Committee members agreed to include form orders in the Fourth Edition, which may be copied or downloaded from the CD-ROM for use by judges. The orders will be contained within the chapter pertinent to a particular subject matter, as opposed to the current appendix format which had become cumbersome and unwieldy. As a new feature of the Fourth Edition, each chapter will conclude with a checklist for the judge’s quick reference on a particular topic. As part of this comprehensive effort to make the Civil Manual more streamlined and user friendly, the Fourth Edition chapters will contain far fewer footnotes than the current Third Edition.

Chapter 1 Pretrial Procedures in Complex Litigation was completed in Conference Year 2009, with final editing and approval in the current Conference year. This chapter

conflates all of the most useful and relevant information currently contained in Chapters 1, 2 and 3 of the Third Edition. **Chapter 2 Discovery in Complex Litigation** was initiated in Conference Years 2009 and 2010 and given final approval during the current Conference year. It covers complex discovery management techniques, privilege claims and protective orders, discovery of electronic business records, and production of documents from non-parties.

During Conference Year 2011, the Study Committee gave final review and approval to the remaining chapters comprising the Fourth Edition. **Chapter 3 Sanctions and Other Enforcement Techniques** will cover a court's authority to impose sanctions, Rule 137 petitions, sanctions for discovery violations and voluntary dismissals. **Chapter 4 Settlement Procedures in Complex Litigation** covers issues such as timing of settlement discussions, ethical issues, enforcement, and settlements in specific cases such as mass injury actions. **Chapter 5 Alternative Dispute Resolution in Complex Litigation** will explain the different types of court-annexed ADR, discuss initiation of the ADR process, managing a complex case during the ADR process and using ADR in specific types of complex cases. **Chapter 6 Final Pretrial Conferences in Complex Cases** includes text on trial format, motions *in limine* and exclusion of evidence, Rule 237 requests to produce, proposed jury questions, voir dire, and verdict forms. **Chapter 7 Trial Techniques in Complex Litigation** covers conduct of the trial, jury trials, nonjury trials, multiparty issues, trial settlements, and the Moorman Doctrine. **Chapter 8 Cases with Parallel Proceedings** provides guidance on cases with parallel criminal proceedings, cases with parallel proceedings in other states, and cases with parallel federal proceedings. Last, **Chapter 9 Special Problems and Miscellaneous Subjects Common in Complex Litigation** discusses class actions, mass tort cases, insurance coverage disputes, and mechanics liens, environmental litigation, employment disputes, antitrust, and civil conspiracy.

As of the drafting of this report, the Committee has completed its final review and voted to approve the entire text of the Fourth Edition. With final review and formatting to be completed over the summer, the Study Committee anticipates that the Fourth Edition of the Civil Manual will be available for circulation to Illinois judges in Fall 2011, both in hard copy and CD-ROM format which affords users the convenience of downloading and hyperlink and search capabilities.

In previous years, the Committee charge contemplated annual revisions and updates to both the Civil and Criminal Manuals, as well as review of the forms contained in the appendices to both manuals. In light of the fact that the Committee has drafted a new edition of the Civil Manual and initiated significant revisions to the Criminal Manual which will continue during the

next Conference year, no new Civil or Criminal updates were created during Conference Year 2011.

The current edition of the Criminal Manual is available in CD-ROM format.

2. Review the Criminal Law and Procedure Benchbook created by the IJC Committee on Education and consider appropriate revisions to the Criminal Manual

As part of the Continued Projects/Priorities continued from Conference Years 2009 and 2010, the Committee was requested to review the Criminal Law and Procedure Benchbook created by the IJC Committee on Education and consider appropriate revisions to the Criminal Manual. This project had been continued while the Study Committee awaited completion of the Criminal Law and Procedure Benchbook. After the benchbook was completed at the end of Conference Year 2009, the Study Committee members requested and received copies in the early part of Conference Year 2010.

During Conference Year 2010, the Study Committee reviewed and discussed the Criminal Benchbook in comparison to the Criminal Manual. The members noted that the benchbook was an excellent source of nuts and bolts information. The Study Committee concluded generally that the Criminal Manual will need some revisions to remain a unique resource; however, the members decided that the substantive work in this regard should be put over to the next Conference Year so that work on the Civil Manual could first be completed.

During Conference Year 2011, the Study Committee, which included a few new members with complex criminal litigation experience, was able to undertake more substantive work on the revisions to the Criminal Manual. At the first meeting in February, a criminal subcommittee was formed and assigned to this project. The subcommittee began by discussing the definition of a complex criminal case. The subcommittee then thoroughly reviewed and compared the Criminal Benchbook and Criminal Manual and reported to the full Committee on the extent of overlap between the resources and the recommended content of the Criminal Manual as a result of this review. The criminal subcommittee also consulted with the Hon. Scott Shore, Chair of the Committee on Education benchbook committee for the Criminal Law Benchbook. Discussions with Judge Shore informed and assisted the subcommittee's efforts to distill the information which will remain in the Criminal Manual and identify the text which will be removed as duplicative of the Criminal Benchbook. The subcommittee drafted a detailed table of contents for the revised Criminal Manual which was approved by the full Study Committee. The subcommittee anticipates that approximately 50% of the revised Criminal Manual will be new text providing more comprehensive information on topics such as dealing with high profile cases and the concomitant media and security issues

that inevitably arise. The criminal subcommittee continues to “flesh out” the outline and assign chapters of the Criminal Manual to the Committee members.

III. PROPOSED COMMITTEE ACTIVITIES FOR THE NEXT CONFERENCE YEAR

During the next Conference year, the Study Committee’s Fourth Edition of the Civil Manual will be available for circulation to all interested Illinois judges. The Study Committee will track new cases, rules, statutes and other information which will be considered for future updates or supplements to the Civil Manual.

The Committee also will continue with comprehensive review and revision of the Criminal Manual. Revisions to the Criminal Manual will likely comprise the bulk of the Committee’s work for Conference Year 2012. The Criminal Manual is anticipated to be similar in style to the Fourth Edition of the Civil Manual; specifically, the text will be more streamlined, with far fewer footnotes, and will include downloadable form orders and topic checklists for each chapter.

IV. RECOMMENDATIONS

The Committee makes no recommendations to the Conference at this time.

**ANNUAL REPORT
OF THE
STUDY COMMITTEE ON JUVENILE JUSTICE
TO THE ILLINOIS JUDICIAL CONFERENCE**

Hon. Elizabeth A. Robb, Chair

Hon. Jennifer H. Bauknecht
Hon. George Bridges
Hon. Susan Fox Gillis
Hon. Bobby G. Hardwick
Hon. Robert G. Kleeman

Hon. Kimberly G. Koester
Hon. Patricia M. Martin
Hon. David K. Overstreet
Hon. Milton S. Wharton
Hon. Lori M. Wolfson

Prof. Lawrence Schlam, Reporter

October 2011

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 end 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 2012.

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 most recently updated in 2009, 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 2011. In particular, the Committee discussed the Supreme Court's decision in *In re Veronica C* (S. Ct. Docket No. 108953, September 23, 2010), which represents a major change in practice by reminding judges of the times and places where supervision should be discussed. The Committee reasonably anticipates that its update to Volume I will be available for the New Judge Seminar in December 2011.

B. Conference Year 2010 Continued Projects/Priorities

The Court requested that the Committee explore the applicability of the two varying standards used in guardianship cases: (1) the best interests of the minor standard arising from the Juvenile Court Act and (2) the superior rights standard arising from the Probate Act. During the past and prior conference years, the Committee monitored the status of Senate Bill 1430, which sought to amend the Probate Act and appeared to resolve the issue of the standard appropriate in guardianship cases. No action, however, was taken with respect to the bill and it was not reintroduced as a new bill.

The Committee, however, reviewed the amendments to the Probate Act (755 ILCS 5/11-14.1) set forth in Public Act 96-1338, which became effective January 1, 2011. The Committee determined that it resolved the issue of guardianship standards that the Committee has been reviewing. More specifically, the amendment to the Probate Act precludes the termination of guardianship if the guardian establishes that termination would not be in the best interests of the minor. As such, the court is now required to consider the best interests of the minor with respect to custody under the Probate Act as well as in the juvenile court arena. Consequently, the Probate Act now seems to be in conformity with the Juvenile Court Act with respect to guardianship standards.

C. Conference Year 2011 Projects/Priorities

The Court requested that the Committee study the issue of disproportionate minority representation in juvenile justice and abuse and neglect cases. In its attempt to gain insight and

direction on this issue, the Committee considered several resource materials on this issue as provided by the National Incidence Studies, MacArthur Foundation's Models for Change Initiative and the Haywood Burns Institute. Initially, the Committee determined that judicial education and training for judges is essential because there is a need to heighten awareness of judges as to possible biases toward minorities. The Committee also determined that there are various initiatives, including standardized arrest forms, school involvement, youth outreach services, group home training and family engagement efforts, addressing this issue in Illinois circuits. Having identified the available research on this issue, the Committee intends in the next conference year to begin the next step of identifying relevant programs for the Court's consideration.

III. PROPOSED COMMITTEE ACTIVITIES FOR THE NEXT CONFERENCE YEAR

During the 2012 Conference Year, the Committee seeks to update Volume II of the *Illinois Juvenile Law Benchbook*, which addresses juvenile court proceedings involving allegations of abused, neglected and dependent minors. The Committee requests that it be permitted to continue its work on the issue of disproportionate minority representation in juvenile cases. The Committee also requests that it be permitted to address the growing problem of truancy and the lack of adequate measures to address it in the court system under the Juvenile Court Act. Finally, the Committee seeks to undertake any other projects or initiatives assigned by the Court for its consideration.

IV. RECOMMENDATIONS

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

Alternative Dispute Resolution Coordinating Committee

CONFERENCE YEAR 2011

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.

COMMITTEE ROSTER

Conference Members

Hon. Patricia Banks
Hon. LaGuina Clay-Clark
Hon. Mark S. Goodwin

Hon. David E. Haracz
Hon. John O. Steele
Hon. Carl Anthony Walker

Associate Members

None

Advisors

Hon. Harris H. Agnew, Ret.

Hon. John G. Laurie, Ret.
Kent Lawrence, Esq.

COMMITTEE STAFF LIAISON: Anthony Trapani

Automation and Technology Committee

CONFERENCE YEAR 2011

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.

COMMITTEE ROSTER

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Hon. Ann Callis
Hon. Melissa A. Chapman

Hon. Ann B. Jorgensen
Hon. William G. Schwartz
Hon. Thaddeus L. Wilson

Associate Members

Hon. F. Keith Brown

Advisors

None

COMMITTEE STAFF LIAISON: Skip Robertson

Committee on Criminal Law and Probation Administration

CONFERENCE YEAR 2011

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.

COMMITTEE ROSTER

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 Hon. Charles McRae Leonhard
 Hon. Leonard Murray
 Hon. Lewis Nixon
 Hon. Charles V. Romani, Jr.
 Hon. Mitchell K. Shick

Hon. Domenica A. Stephenson

Associate Members

None

Advisors

None

COMMITTEE STAFF LIAISON: B. Paul Taylor

Committee on Discovery Procedures

CONFERENCE YEAR 2011

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.

COMMITTEE ROSTER

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 Hon. Frank R. Fuhr
 Hon. Kimbara G. Harrell
 Hon. Katherine Gorman Hubler

Hon. Jeffrey W. O'Connor
 Hon. Michael Panter
 Hon. Barbara N. Petrunaro
 Hon. Kenneth L. Popejoy

Associate Members

None

Advisors

David B. Mueller, Esq.

Eugene I. Pavalon, Esq.

Paul E. Root, Esq.
 Marc D. Ginsberg, Professor-Reporter

COMMITTEE STAFF LIAISON: Jan B. Zekich

Committee on Education

CONFERENCE YEAR 2011

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.

COMMITTEE ROSTER

Conference Members

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Advisors

None

SUPREME COURT LIAISON: Hon. Mary Jane Theis

COMMITTEE STAFF LIAISON: Cyrana Mott

Study Committee on Complex Litigation

CONFERENCE YEAR 2011

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.

COMMITTEE ROSTER

Conference Members

Hon. Dinah J. Archambeault
Hon. Nancy Jo Arnold
Hon. Eugene P. Daugherty
Hon. Thomas E. Hoffman

Hon. Joan E. Powell
Hon. Carolyn Quinn
Hon. Christopher C. Starck
Hon. Thaddeus L. Wilson

Associate Members

None

Advisors

William R. Quinlan, Sr., Esq.
Martha A. Pagliari, Professor-Reporter

COMMITTEE STAFF LIAISON: Marcia M. Meis

Study Committee on Juvenile Justice

CONFERENCE YEAR 2011

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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