A MESSAGE FROM CHIEF JUSTICE THOMAS R. FITZGERALD

The judicial branch of government is a vital and essential component of our constitutionally created democracy. In order that our way of government is strengthened and sustained, we must be vigilant in our efforts to ensure the public's trust and confidence in our courts and in our legal system. Reflected on the pages that follow is a brief summary of the work undertaken by the Illinois courts in our continuing interest to achieve that goal. On behalf of the Supreme Court of Illinois, I am pleased to present the 2008 Annual Report of the Illinois Courts.

In 2008 we improved upon some of our ongoing initiatives and brought to life some others which had been in the planning stages. Eight years ago, in 2000, and in every two years after, the Supreme Court had hosted an Education Conference for all Illinois judges. Though attendance was strongly encouraged, the overwhelming participation by Illinois judges was voluntary. In those years, the Conference consisted of two and one half days of instruction in core areas of the law.

The Court recognizes the value of continuing education as a strategy for ensuring a highly skilled and competent judiciary. These attributes bear a strong correlation to achieving public trust and confidence. Thus, following on the heels of the Court's mandate for continuing legal education for lawyers, the Court instituted mandatory continuing judicial education for judges. Shifting from the aspirational goal of 15 credit hours, the Court mandated that every sitting Illinois judge achieve 30 hours of continuing judicial education.

Satisfaction of the 30-hour mandate was made possible by attendance at Education Conference 2008. Over the course of four days, Illinois' more than 950 judges attended classes developed to enhance knowledge and judicial skills in the areas of criminal, civil and family law. Similar to the continuing education requirements for attorneys, a critical component of continuing judicial education are seminars and workshops on judicial ethics and professionalism. Education Conference 2008, like those before it, provided opportunities for learning and a forum for dialogue with judges from around the state and the exchange of ideas on the art of judging.

The Court's interest in education is not limited to legal professionals. It extends beyond the bench and the practicing bar. We recognize that civic education plays a critical role in promoting an enlightened and responsible citizenry. Indeed, within this past decade there has been a recognizable and renewed emphasis on the civic education of America's youth. Educators and social policy makers agree that while students' competence in math and science should be encouraged, so too should an understanding of the function of government in a democratic society. The duty to teach students about government rests not exclusively with the schools, but is a shared responsibility which should include, most particularly, those institutions which are the symbols of that government.

In April, in conjunction with the commemoration of Law Day 2008, the Court announced a new feature on its website, the Student Learning Center, designed to increase awareness of how Illinois government works and to demonstrate the interrelationship between the three branches. The Center features an animated character, "Gavy," who guides visitors to the site through lessons on the U.S. and Illinois Constitutions, the executive, legislative and judicial branches of Illinois government, and how our laws are made. As an interactive website, the Student Learning Center takes full advantage of technology to engage middle school-aged children in various activities in the hopes of sparking their interest and increasing their knowledge about government.

The public's trust and confidence in the judiciary is further enhanced when those who hold that trust are accountable and demonstrate high levels of judicial performance. To demonstrate our commitment to these ideals, in December 2008, the Court announced a set of comprehensive strategies which make clear the Court's expectations of Illinois' judges, improves judicial performance by mandating participation in a judicial evaluation program, enhances the new judge mentor program, and clarifies the authority of chief circuit judges and appellate court presiding judges in their administrative roles. Included as an essential component of the strategies is the Court's *Statement of Expectations for Illinois Judges*, a copy of which is provided to every sitting Illinois judge. Key among the provisions in the *Statement* are these words:

> *"Critical to an independent judiciary is the public's trust and confidence in the men and women who don the robes, interpret our laws and who seek to fairly administer justice. Our judiciary represents far more than the sum of its adjudicative decisions. As judges, it becomes our responsibility to enhance the public's trust and to foster in the citizenry an unfaltering sense of confidence."*

As citizens, and as members of the judiciary, we continue to learn lessons from the tragic events of 9-11

and Hurricane Katrina. We understand fully the need to ensure continued public access to our halls of justice, particularly, in times of crisis. Whether confronted with a natural disaster, a health pandemic, or matters of domestic or foreign terrorism, continuity of court operations are crucial to preserving public safety and the rule of law. In preparation, the Supreme Court adopted *Emergency Preparedness Standards for the Illinois Circuit Courts*. The Standards, crafted by our Administrative Office, in consultation with the Illinois Emergency Management Agency (IEMA), require that procedures be tailored to individual counties and court facilities, that there be coordination between governmental entities in responding to an emergency event, and that, in times of non-emergency, the circuits engage in training exercises for purposes of testing the efficacy of their respective plan. Each circuit's *Emergency Preparedness Plan* will serve as a reliable roadmap in navigating through a disaster.

The history of Illinois' judiciary is as rich as it is diverse and 2008 offered opportunities to both celebrate our heritage and to reflect upon our progress. Scattered throughout Illinois' vast territory are more than 100 courthouses, many of them built before the turn of the century. One of the oldest courthouses in our state was built some 150 years ago in the historic city of Mt. Vernon. Home to the Fifth District Appellate Court, the Mt. Vernon courthouse had once also been home to the Illinois Supreme Court. In the fall of 2008, the Court once again sat in Mt. Vernon to mark the 150th anniversary of the building and to celebrate Illinois' most venerable lawyer, Abraham Lincoln. There on that site, the justices of the Supreme Court, alongside the justices of the Fifth District Appellate Court, participated in the unveiling of a 9-foot tall bronze statute of Mr. Lincoln standing proudly in the front courtyard of the courthouse building.

In 1908, the Supreme Court took up permanent residence in its current home at 200 East Capitol Street in Springfield, Illinois. Two Thousand and Eight marked the centennial year of the now historic structure with its marbled corridors and mural painted ceilings. The occasion was marked by a celebration at the Abraham Lincoln Presidential Museum, with the Honorable Antonin Scalia, Associate Justice, United States Supreme Court, serving as the keynote speaker.

The evolution of the Supreme Court and Illinois' judiciary are chronicled on the Court's website. Conceived and developed by our Administrative Office, the story of Illinois' judiciary is told through a collection of narratives, photographs, and vintage postcards. This section on the site features the names and biographies of past and present chief justices and justices of our Supreme Court, tracks the construction of the Supreme Court Building from the enabling legislation to completion of the structure, and includes a list of the cases argued before the Court by Abraham Lincoln as a practicing lawyer. Titled *"The Third Branch - A Chronicle of the Illinois Supreme Court,"* this section is a visually appealing means by which the history of our judiciary is presented.

By constitutional mandate, the Supreme Court exercises administrative and supervisory authority over all courts and is charged with oversight of the legal profession. The court is assisted in its administrative and supervisory function by an Administrative Director, who, among other things, oversees the work of the Administrative Office of the Illinois Courts, implements the Court's rules and policies, and facilitates the work of the Court's several committees. The work of the Administrative Office is detailed later in this Report.

Also detailed in this Report is a summary of the work of various Supreme Court and Judicial Conference Committees. Committees serve a vital role in the work of the Court, particularly, with respect to rules of practice and procedure. New committees are created by the Court to study and make recommendations on cutting edge issues, such as e-discovery, or to develop procedures in a particular area of the law, such as child custody. In 2008, the absence of a single source of evidentiary law was the genesis of the Court's creation of the Special Committee on Illinois Evidence. The charge to the Committee is the codification of existing law on evidence which is presently contained in state statutes, Supreme Court rules and the common law. Codification of the rules in a single location will be of enormous value to Illinois' law practitioners.

As mentioned earlier, the Supreme Court is charged with oversight of the legal profession in Illinois. Each year, throughout the state, the Supreme Court justices administer the oath of office to new attorneys. In 2008 the Court admitted 3,368 new lawyers to Illinois' attorney rolls. These men and women have demonstrated that they are of good moral character and that they possess the necessary qualifications to practice as attorneys and counselors at law in the courts of the State of Illinois. More than 74,000 attorneys are currently registered on active status with the Attorney Registration and Disciplinary Commission and are thus subject to the Court's minimum continuing legal education requirements.

Before closing, I want to commend the work of the Administrative Office of the Illinois Courts. Under the leadership of Director Cynthia Y. Cobbs, the Administrative Office provides organizational, administrative and technical support to all three levels of Illinois' courts. I and my colleagues on the Supreme Court are grateful for the work of Director Cobbs and her staff.

I invite your review of the 2008 Annual Report of the Illinois Courts and I extend to all who partner with the judiciary in advancing the cause of justice for Illinoisans my most sincere gratitude.

Thomas R. Fitzgerald
Chief Justice