



ELEVENTH JUDICIAL CIRCUIT

CIRCUIT JUDGES

Chief Judge Elizabeth A. Robb	McLean County
Donald D. Bernardi	McLean County
David L. Coogan	Logan County
Scott D. Drazewski	McLean County
Kevin P. Fitzgerald	McLean County
Harold J. Frobish	Livingston County
John B. Huschen	Woodford County
Stephen R. Pacey	Ford County
G. Michael Prall	McLean County
Charles G. Reynard	McLean County
James E. Souk	McLean County

ASSOCIATE JUDGES

Jennifer H. Bauknecht	Livingston County
David W. Butler	McLean County
J. Casey Costigan	McLean County
Charles M. Feeney III	Woodford County
Rebecca S. Foley	McLean County
Robert L. Freitag	McLean County
Thomas M. Harris, Jr.	Logan County
Paul G. Lawrence	McLean County
Robert M. Travers	Livingston County

COURT SYSTEM OF ILLINOIS

CIRCUIT COURT

Article VI of the Constitution of the State of Illinois of 1970 reorganized the Illinois court system. There are three levels of court in the State of Illinois. The **Circuit Court** is the general trial court. The **Appellate Court** is the intermediate level appellate court to which most final judgments of the Circuit Court may be appealed as a matter of law. The **Supreme Court** is the highest appellate court to which appeals from Appellate Court judgments may be taken, and to which some appeals from the Circuit Court may be taken. The Supreme Court has administrative authority over all Appellate and Circuit Courts.

The State of Illinois is divided into twenty-three judicial circuits. The counties comprising the Eleventh Judicial Circuit are Ford, Livingston, Logan, McLean and Woodford. Additionally, in the State of Illinois, there are five appellate districts, apportioned by population; the Eleventh Judicial Circuit is in the Fourth Appellate District.

The **Circuit Judges** meet in December of even numbered years to elect one of their members as the Chief Circuit Judge of the Eleventh Judicial Circuit. The Chief Judge assigns the Judges to the Circuit to specific counties and to hear specific types of cases. Circuit Judges run for election for a six-year term and, once elected, may seek to be retained for successive six-year terms (**a retention ballot**). A 60% affirmative vote is required for a Judge to be retained in office.

Circuit Judges have the authority under the Constitution of Illinois to appoint Associate Judges. **Associate Judges** are appointed to serve four-year terms and may seek reappointment by the Circuit Judges for successive four-year terms.

The Circuit Court is a court of **general jurisdiction**, which means it has original jurisdiction to hear all types of cases. The Supreme Court and Appellate Courts are courts of **limited jurisdiction**, meaning they hear only cases on appeal and a small number of special cases where they have original jurisdiction.

TYPES AND NUMBERS OF CASES FILED IN THE ELEVENTH JUDICIAL CIRCUIT

<u>Case Type(s) and Case Categories</u>	<u>2001</u>	<u>2006</u>
Civil (AR, CH, ED, L, LM, MC, MH, MR, TX)	3821	3939
Small Claims (SC)	4033	4590
Family (AD, D, F, OP)	2450	2714
Probate (P)	821	709
Juvenile (J, JA, JD)	687	670
Criminal Felony (CF, CC)	2179	1976
Criminal Misdemeanor (CM)	4483	4105
Traffic, DUI, Ordinance, Conservation	<u>70132</u>	<u>75085</u>
TOTAL	88606	93788

CLERK OF THE CIRCUIT COURT

The office of the Clerk of the Circuit Court is established by Article VI of the Illinois Constitution. This office is the **administrative** and **clerical** arm of the courts, and the Circuit Clerk is a non-judicial officer of the court. The Office of the Clerk of the Circuit Court maintains the official

records for the entire court system, and is the official recorder of documents for filing and appeals. The clerk collects all fines, fees, costs and penalties assessed, and distributes those monies on a monthly basis to the county, state, municipalities and townships. Court ordered child support and maintenance payments are made in the clerk's office and distributed to the proper recipients. The clerk is responsible for office staff, including **court clerks**, and is responsible for maintaining a system of calling and selecting **jurors**. The Clerk of the Circuit Court is elected every four years.

OFFICE OF THE STATE'S ATTORNEY

The State's Attorney serves in two basic capacities. The first, and most widely known, is that of the **criminal prosecutor**, in which the State's Attorney prosecutes persons charged under state statute with felony or misdemeanor charges. The other basic capacity, and less known, is that of serving as the **county attorney**, usually referred to as the civil division of the State's Attorney's office.

The Civil Division gives legal advice to all elected and appointed county officials, including the county board, on matters of official business. It also prosecutes all actions (civil) brought by any county officer in their official capacity and defends all action brought against the county or against a county officer or employee in their official capacity.

In addition, the State's Attorney is charged with the recovery of all debts, revenues, monies, fines and fees owed the state or the county and to represent the collector of taxes against delinquent taxpayers for judgments to sell real estate. Lastly, the State's Attorney's office has the power to commence suits in which the people of the State of Illinois or the county may be concerned. The State's Attorney is elected every four years.

OFFICE OF THE PUBLIC DEFENDER

The office of the Public Defender was created by the State Legislature. By enacting the Public Defender Statute, the legislature recognized the right for indigent (poor) people to have counsel. This is a right established in the **6th Amendment** of the United State's Constitution, and a right affirmed by the U.S. Supreme Court in the case of *Gideon v. Wainwright*.

Public Defenders are licensed attorneys appointed by the Judges to represent indigent defendants in criminal cases. They can be appointed in felony, misdemeanor, juvenile, and a limited number of other case types.

COURT REPORTERS

Official court reporters are state employees through the Court Reporting Services office, an administrative branch of the Comptroller's Office. Reporters are hired and under direct supervision of the Chief Judge of the Circuit.

Reporter's responsibilities are to keep a verbatim record of all proceedings to which they are assigned, and to provide written transcripts of said proceedings upon request.

COURT SERVICES

Court Services is the largest component of the community correctional element of the criminal justice system. In Illinois, Court Services is under the jurisdiction of the judicial branch of government and each department is responsible to the Chief Judge of the judicial circuit.

The mission of Court Services is to protect the public interest and safety by diligently enforcing court ordered conditions of probation through meaningful supervision strategies and utilizing appropriate supportive resources. The core services of Court Services are to provide investigation and reports to the court, to help develop appropriate court dispositions for adult and juvenile offenders, and to supervise those persons placed on probation. Court Services departments may also provide a broad range of services including: crime and delinquency prevention, pretrial release, adult and juvenile diversion, juvenile detention, intensive probation supervision, specialized DUI services, community services programs, volunteer programs, and family court services.

ARBITRATION PROGRAM

Court-annexed mandatory arbitration was established in Illinois as a mandatory non-binding form of alternative dispute resolution. This program is an effort by the Judicial System of Illinois to reduce the length and cost of civil law suits by providing an alternative to traditional litigation.

In Ford and McLean County, all civil cases with requested damages between \$5,000 and \$50,000 are directed into the program. A panel of three arbitrators hears these cases. Each party makes a brief presentation of their case to the panel that deliberates and makes a decision the same day. The parties then have thirty days to accept the decision. In the event one of the parties is not satisfied with the panel's award, he/she may reject the award and proceed to trial before a Judge. If the parties are satisfied, the arbitration hearing is the only hearing on the merits of the case.

Need more information?

Contact us at:

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