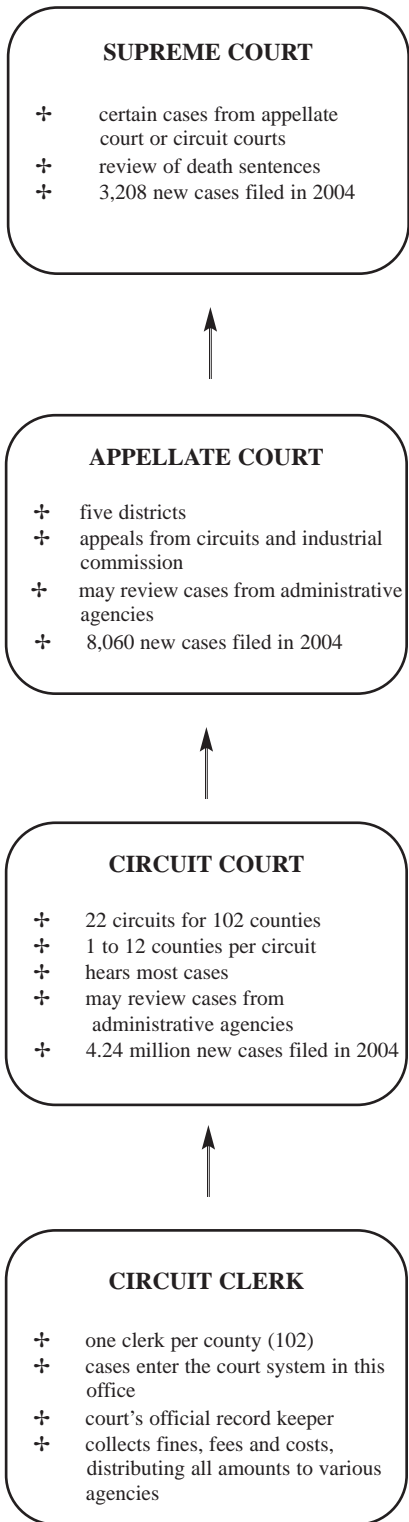


COURT OPERATIONS

The path a case may follow in the process from start to finish can be complicated. The diagram below demonstrates, in general terms, how cases proceed through the state court system.



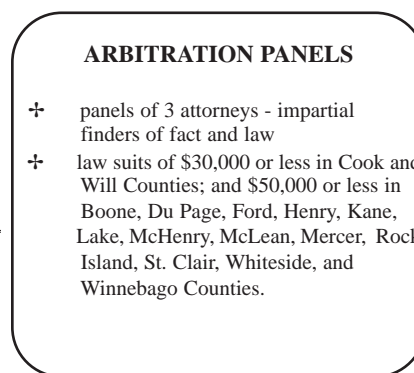
CASEFLOW

Illinois has had a unified court system since 1964. In that year, voters approved an amendment to the 1870 constitution which made major changes in the system.

Prior to 1964, the court system was fragmented. The courts of original jurisdiction had some concurrent and overlapping jurisdiction, and each court operated independently of the others. The old system had a circuit court with statewide original jurisdiction in all cases and some appellate jurisdiction; a Superior Court of Cook County having concurrent jurisdiction with the Circuit Court of Cook County; the Criminal Court of Cook County also having concurrent jurisdiction with the Circuit Court of Cook County but limited to criminal cases; a county court in each county with special jurisdiction that partially overlapped that of the circuit court; a probate court in certain counties with special jurisdiction; statutory municipal, city, town and village courts, with jurisdiction overlapping that of the circuit court; and justice of the peace and police magistrate courts with limited jurisdiction.

By 1962, Cook County alone had 208 courts: circuit court, superior court, family court, criminal court, probate court, county court, twenty-four city, village, town and municipal courts, seventy-five justice of the peace courts, and 103 police magistrate courts.

In addition, there were seven supreme court districts numbered from south to north and four appellate court districts numbered from north to south. For example, the first supreme



court district was in a part of the fourth appellate court district and the seventh supreme court district was in a part of the first appellate court district.

In today's system, as shown on the left, there are three levels of courts:

circuit, appellate, and supreme, all operating within clearly defined geographical boundaries. The circuit court is a court of original jurisdiction which is divided into twenty-two circuits. Each circuit is located in one of five appellate court districts. Cases enter circuit court via the circuit clerk's office in a county of the circuit. Cases may be appealed to the appellate court in the district containing the circuit court, or, in certain circumstances, directly to the supreme court. After an appellate court decision, parties to the case may seek discretionary review by the supreme court. Supreme and appellate district and circuit maps are found in their respective sections of this publication.

JUDICIAL BRANCH ADMINISTRATION

Supreme Court

The Supreme Court of Illinois, in addition to being the state's highest court, is responsible for the state's unified trial court, one appellate court with five districts, and several supporting units. General administrative and supervisory authority over the court system is vested in the supreme court. Several advisory bodies assist with this mission by making recommendations to the court. These include the Judicial Conference of Illinois and the various committees of the court. More information about committees can be found in the following sections. The supreme court also makes appointments to other committees, commissions, and boards as listed at the right.

The chief justice is responsible for exercising the court's general administrative and supervisory authority in accordance with the court's rules. The supreme court appoints an administrative director to assist the chief justice in her duties. The staff of the Administrative Office of the Illinois Courts support this function.

Key support personnel exist at each level of the court to assist judges with the administration of justice. At the supreme court level, this includes the clerk of the supreme court, research director, marshal, and supreme court librarian and their staffs. Each support unit is described on page twenty-four.

Appellate Court

At the appellate court level, the presiding judge and judges of each appellate district are assisted by a clerk of the appellate court and research director and their staffs appointed by the appellate judges. Appeals enter the clerk's office, where deputy clerks assign them filing schedules and actively monitor and review cases as they progress through record preparation, motions, briefing, and oral arguments. Problems such as late filings, jurisdictional defects, inadequate records or noncompliant briefs are referred to the court. After the court has heard an appeal, the clerk's office issues the court's decision and tracks all post-decision activity. The clerk's office also manages the court's computerized and manual recordkeeping systems and oversees the maintenance of physical facilities. The clerk responds to requests and questions concerning the court's cases and procedures. The research director oversees a staff of attorneys and secretaries providing centralized legal research services to judges.

Circuit Court

Each circuit is administered by a chief judge who is selected by the circuit court judges of the circuit. The chief judge is assisted by an administrative assistant and/or trial court administrator and other support staff. The number of counties in each circuit currently ranges from one to twelve. In each county, voters elect a circuit clerk for a four-year term. Circuit clerks, with help from deputy clerks hired by the circuit clerk, attend sessions of the court, preserve court files and papers, maintain complete records of all cases, and maintain records of money received and disbursed.

Judicial Inquiry Board

The supreme court appoints two circuit judges to the board (the governor also appoints four non-lawyers and three lawyers) which receives and investigates complaints against judges and prosecutes the validated complaint before the Illinois Courts Commission.

Illinois Courts Commission

The commission consists of a supreme court justice, two circuit judges selected by the supreme court, two appellate court judges selected by the appellate court, and two citizen members selected by the governor. The commission hears complaints brought by the Judicial Inquiry Board and can discipline a judge or remove a judge from office.

Board of Admissions to the Bar

The supreme court establishes rules and standards for the education, testing, and admission of law school graduates to the practice of law in the state and appoints seven attorneys to sit on the board. The board oversees the process of admitting law school graduates to the practice of law.

Committee on Character and Fitness

The supreme court appoints attorneys to a committee in each of the five judicial districts to evaluate the moral character and general fitness of applicants to practice law.

Attorney Registration and Disciplinary Commission

The supreme court establishes rules for the registration and discipline of attorneys and appoints four lawyers and three non-lawyers to the commission which oversees the registration and disciplinary process.

State Appellate Defender

The supreme court appoints the State Appellate Defender and two members of the State Appellate Defender Commission. Each appellate court district appoints one member to the Commission (the governor appoints two members).

Board of Trustees of the Judges Retirement System

The supreme court appoints three judges to the Board of Trustees of the Judges Retirement System and the chief justice is an ex-officio member (as is the state treasurer).