



A MESSAGE FROM THE CHIEF JUSTICE

It is indeed my privilege and pleasure to present, on behalf of the Illinois Judicial Branch, the 2004 Annual Report of the Illinois Courts. I have served as a justice of the Supreme Court of Illinois for fourteen years, the last three as the Chief Justice. The 2004 Annual Report of the Illinois Courts is the last Annual Report that I will submit in my capacity as the Chief Justice. I do so with great pride, secure in the knowledge that the state of the judiciary in Illinois is very sound.

As I contemplate my tenure as Chief Justice, what stands out most prominently in my mind is the association with my colleagues on the Supreme Court, the judges of every other court and the lawyers in this great state. As we look to the future, we reflect back on the many who have served, including retired Justices. We miss their wisdom, intellect and courage. The Supreme Court, as an institution, will continue to benefit from their legacies for years to come.

The foundation of any court system is its judges. While Illinois' court structure is designed expertly and administered with utmost professionalism, it would not be successful without its capable and impartial judges. I convey to each of you, my heartfelt thanks and appreciation for your firm commitment to the cause and promise of equal justice for all.

This report provides an overview of the Illinois Judicial Branch, summarizes major Supreme Court projects initiated during calendar year 2004, reviews the work of the Illinois Judicial Conference and the Court's several committees, and presents a general overview of the funding and operations of the judicial system. Included in this Report is a brief overview of the divisions and functions of the Administrative Office of the Illinois Courts, which serves as the Supreme Court's administrative arm.

The continuing economic condition of the State of Illinois places enormous burdens on its public institutions and the impact is felt at all levels of state and local government. Illinois' "Third Branch" of government is not exempt from this on-going fiscal crisis and has not been given an easy course during these difficult times. The Judicial Branch continues to share the responsibility for the effective and efficient stewardship of state fiscal resources with the Executive and Legislative Branches. We stand as an equal partner with our sister branches of government in contributing to the fiscal well-being of the state. We have maintained our ability to deliver justice, notwithstanding the Fiscal Year 2005 appropriation for the judicial branch is less than 1% of the state's total budget and is at a level equal to Fiscal Year 2002 total expenditures. Illinois judges, who have one of the heaviest dockets in the nation, disposed of more than 4 million cases in calendar year 2003 - a truly phenomenal accomplishment.

Through the leadership of Cynthia Y. Cobbs, the Director of the Administrative Office of the Illinois Courts, the Judicial Branch strives to operate at peak efficiency with the limited resources available. Modern business and management techniques are applied to achieve systems' savings and efficiencies. The state-paid judicial branch work force in 2004 remains smaller in size than it was in 2002, but it

continues to provide the citizens of Illinois with a system of justice that is anchored in integrity and excellence. Under the leadership and administration of Director Cobbs, the Administrative Office provides administrative and technical support to all three levels of Illinois' courts and serves as liaison to the Court's various committees. The divisions of the Administrative Office, which are described herein, include the Executive Office, Administrative Services, Court Services, Judicial Education, Judicial Management Information Services and Probation Services.

The year 2004 continued in the direction of planning for and embracing change through progress and innovation for the Illinois Courts. New and enhanced safety and security measures have been reviewed throughout Illinois' courts in response to assessments of possible domestic threats. The Supreme Court also authorized a formal study of security resources and procedures in the Appellate Court (Districts Two - Five), with the major objective of providing each of the District Courthouses a standard minimum security protocol.

The availability of rapidly changing technology and the commitment to insuring public access to the courts and court records continue to be high priority issues for the Supreme Court to manage. In 2004, Illinois' Integrated Justice Information System, an Executive Branch initiative, invited the Supreme Court to consider expanded judicial branch participation and voting authority on the Implementation Board to assist in moving this crucial project forward. Heretofore, the judicial branch was represented by two staff of the Administrative Office who served as non-voting liaisons. The Court has approved this model and has given direction to insure that policies and practices developed by the judicial branch, with respect to justice information sharing, are uniform and consistent throughout the state.

The Court continues to move forward with planning and implementing a range of technology projects within the Judicial Branch, including POLARIS (Probation On-Line Automated Reporting Information System), ADR (Automated Disposition Reporting), and the beginning phase of planning and designing a database for the court's management of child abuse and neglect cases through its Court Improvement Project (CIP). In addition to planning for the development of an automated information system to assist in the trial courts' management of child abuse cases, judicial branch personnel involved in the CIP initiative were also invited to offer their assistance to the state's child welfare agency in the crafting of their 2004 Program Improvement Plan that was submitted in response to Illinois' 2003 Federal Child and Family Services Review.

The Court, for the past several years, has prioritized the role of the judiciary in the management of child abuse and neglect cases. The Special Supreme Court Committee on Child Custody Issues recommended new Supreme Court Rule 306A, Expedited Appeals in Child Custody Cases. Upon Supreme Court approval, the Rule became effective on January 1, 2004, and was subsequently stayed until July 1, 2004 pending a procedural amendment. The new Rule provides clarity to the types of child custody cases in which the expedited procedures apply. The Rule also delineates the time frame in which a transcript of the proceedings must be filed (no later than 35 days after the notice of appeal) and requires that continuances shall be granted only for compelling circumstances.

For more than 17 years, the Court has endorsed court-annexed mandatory arbitration as an alternative dispute resolution procedure in the trial courts. In 2004, the Supreme Court approved the creation of new Supreme Court Rule 310.1 which authorized the operation of an Appellate Court Settlement Program. The Court approved the program to begin as a pilot initiative in the First Judicial District (Cook County), effective January 1, 2005. The program is intended to give parties to an appeal an opportunity and forum to discuss their case, simplify or limit the issues, negotiate settlement and consider any matters that may aid in disposition of their appeal or resolution of the action. The program will be funded by an increase in appellate court filing and appearance fees. Supreme Court Rule 310.1 operationalizes the legislation

passed by the General Assembly that authorized the creation of a special fund in the state treasury as a repository for the fees to fund the program.

With limited exceptions, Illinois courtrooms are open to the public, and records of court proceedings are generally of public record. Since the Supreme Court's 2002 order which authorized electronic access to circuit court records, Illinois' citizens have been provided a convenient means to access information even if away from the courthouse. The Court's order protects the privacy of identifiable interests and the Court is vigilant in its efforts to maintain the correct balance between public access and privacy considerations. In 2002, the Court also authorized the Policy for Implementation of Electronic Filing Pilot Projects in the trial courts. While the Eighteenth Judicial Circuit (County of Du Page) remained the only approved pilot site in Illinois during 2004, the groundbreaking work in that circuit has provided model systemic strategies for other jurisdictions that will encourage increased vendor and user participation while safeguarding the electronic transmission of court documents. Fiscal constraints within a number of trial court jurisdictions have delayed the submission of final proposals for the implementation of additional pilot sites in 2004.

The Twentieth Judicial Circuit (St. Clair County) has moved systematically and progressively under the Court's direction with its pilot program of electronic imaging of paper documents in select case categories. The pilot program has initiated the process to begin measuring its savings in personnel time and operational costs, which early on have resulted in reduced costs of paper supplies and expedited case file preparation time that has permitted the assignment of more clerks to directly serve the court and the public.

The expansion of digital electronic recordation in the circuit courts continued at a steady pace in 2004. New or expanded systems were installed in Union, DeKalb, Greene, Saline, Tazewell and Alexander Counties. Several initiatives pend for 2005 that will either introduce or expand current digital recordation systems in jurisdictions such as the Tenth Judicial Circuit (Peoria County), the Fifteenth Judicial Circuit (Ogle County) and both the Juvenile Justice and Child Protection Divisions of the Circuit Court of Cook County. These initiatives move the Court closer to its goal of providing a record in every courtroom.

The Court continued to expand its use and development of web technology in 2004 to enhance the efficiency of the Illinois court system. The Court's web site (www.state.il.us/court), introduced in 2000, is continually updated and improved to provide judicial branch information and expanded links to numerous legal or justice resources and organizations. Enhancements in 2004 included new or updated content postings for such items on the web site as:

- 1st District Appellate Court Local Rules
- Supreme Court Annual Report to the General Assembly
- Supreme Court Rules
- Supreme Court Docket
- Judicial Education Seminars
- Electronic Access Policy for Circuit Court Records

The Court has both a responsibility and a strong interest in promoting public confidence and trust in the legal profession in Illinois. Since the 2001 inception of the Special Supreme Court Committee on Professionalism, the Committee has continued to meet its charge of promoting respectful conduct in the legal community through a range of activities and initiatives. In 2004, justices of the Supreme Court administered professional oaths to incoming first year law students during their orientation programs. The Committee has received strong support from the deans of the nine Illinois law schools regarding this endeavor. More recently, in 2004, the Court initiated a review and analysis of models of minimum continuing legal education (MCLE) for attorneys registered to practice law in this state. The principle of MCLE, and a model for administration in Illinois, continue to be taken under advisement by the Supreme Court.

The Court maintained its commitment to comprehensive, ongoing judicial education opportunities for Illinois judges in 2004, through a series of conferences, seminars and programs. The keystone of these programs was Education Conference 2004, which was presented twice in Spring 2004. Attended by Illinois' more than 900 judges, including the more than 65 judges who served as conference faculty, Education Conference featured 15 distinct presentations on areas of substantive law and court management issues. In addition, the Court presented, through the Judicial Conference Committee on Education, the annual judicial education seminar series, which was attended by more than 400 judges and judicial faculty in Conference Year 2004.

The Court also oversaw the planning of the annual week-long New Judge Seminar for presentation in January 2005. This seminar enabled new judges to identify and develop the knowledge and skills of effective jurists. As in previous years, the Court administered the new judge mentoring program, with oversight from the Court's Judicial Mentor Committee, to provide individualized resources and support to new judges taking the bench. Also in 2004, the Court presented ongoing programs, in accordance with Supreme Court Rule 43, for judges hearing capital cases. The capital cases seminars provide critical information and skills to judges hearing these most difficult issues arising in conjunction with the death penalty.

In 2005, the Court will continue its support for ongoing judicial education opportunities, including the presentation of the annual seminar series, the 2005 New Judge Seminar, the 2005 Advanced Judicial Academy (held at the University of Illinois Champaign/Urbana) and the ongoing series of Capital Cases Seminars.

Illinois' probation system, which is administered by the judicial branch, provides community-based supervision to over 110,000 adult and juvenile offenders. Supported by a technical assistance grant to the Administrative Office from the National Institute of Corrections, probation is engaged in systemic change that will deepen its development, adoption and measurement of evidence-based practices. Strategies that reduce offender risk, protect and restore communities and victims and promote alternatives to detaining lower risk juveniles, are the centerpieces of this model to increase public safety and probation's efficacy.

Similar to Illinois' sister jurisdictions, the ability to secure stable and adequate funding for probation at both the local and state levels remains a critical concern. State Fiscal Year 2005 appropriations were again less than needed to fund Illinois' probation system. The Court, in its commitment to the principles of equity and evidence-based practices, began the process of examining and modifying its reimbursement distribution formula for circuit court probation services. Additionally, the Supreme Court formed a statewide Probation Funding Task Force, inviting participation from circuit court judges, probation administrators, and county executives, to explore funding resources and distribution formulas, consistent with evidence-based practices, for the Supreme Court's probation reimbursement resources. The Task Force is scheduled to report its findings to the Court and the Director of the Administrative Office by December 31, 2005.

I am pleased to invite your review of the work of the Illinois Judicial Branch and the Administrative Office as contained in the 2004 Annual Report. Finally, I want to extend my appreciation to the Administrative Office, committee members, and to all who have assisted with numerous projects and initiatives featured herein.



Mary Ann G. McMorrow
Chief Justice