

COURT SYSTEM IN ILLINOIS

The Supreme Court, the highest tribunal in Illinois, has seven justices elected from five judicial districts for 10-year terms. Three justices are elected from the 1st District (Cook County) and one from each of the other four districts. The Supreme Court has general administrative and supervisory authority over all courts in the state. This authority is exercised by the chief justice with the assistance of the administrative director and staff appointed by the Supreme Court. The Supreme Court hears appeals from lower courts and may exercise original jurisdiction in cases relating to revenue, mandamus, prohibition or habeas corpus.

The Appellate Court hears appeals from the Circuit Courts. Appellate Court judges are elected from the five judicial districts for 10-year terms. Cook County, which comprises the 1st District, elects 18 appellate judges. The remaining 101 counties are divided into four districts that elect six judges each. The Supreme Court may assign additional judges to service in the Appellate Court from time to time if needed. Elgin is the seat of the 2nd District; Ottawa, the 3rd District; Springfield, the 4th District; and Mount Vernon, the 5th District.

The Unified Trial Court in Illinois is the Circuit Court comprised of circuit and associate judges. The state is divided into 24 judicial circuits, each having one chief judge elected by the circuit judges. The chief judge has general administrative authority in the circuit, subject to the overall administrative authority of the Supreme Court. Circuit judges may hear any case assigned to them by the chief judge. Associate judges may not preside over criminal cases in which the defendant is charged with an offense punishable by imprisonment of one year or more (felonies), unless approval is received from the Supreme Court. Circuit judges are elected for six-year terms; associate judges are appointed by the circuit judges in accordance with Supreme Court rules for four-year terms.

When a Supreme, Appellate or Circuit Court judgeship is vacant or newly created, candidates are nominated at primary elections and elected at the general election. However, the names of judges seeking retention shall be submitted to the electors, separately and without party designation, on the sole question whether each judge shall be retained in office for another term. The retention elections shall be conducted at general elections in the appropriate judicial district, for Supreme and Appellate Court judges, and in the circuit for Circuit Court judges.

The Illinois Courts Commission, composed of one Supreme Court justice, two Appellate Court judges, two Circuit Court judges and two citizens, has the authority after notice and public hearing (1) to remove from office, suspend without pay, censure or reprimand any member of the judiciary for willful misconduct in office, persistent failure to perform his or her duties or other conduct that is prejudicial to the administration of justice or that brings the judicial office into disrepute; or (2) to suspend, with or without pay, or retire any member of the judiciary who is physically or mentally unable to perform his or her duties.

A Judicial Inquiry Board, created by the 1970 Illinois Constitution, has the authority to conduct investigations, receive or initiate complaints concerning any member of the judiciary, and file complaints with the Courts Commission.

Judges must devote full time to their judicial duties. They may not practice law; hold a position of profit; hold any other office under the United States, this state, unit of local government or school district; or hold office in any political party.