Court-Annexed Mandatory Arbitration

State Fiscal Year 2007 Annual Report to the Illinois General Assembly

Cynthia Y. Cobbs, Director
Administrative Office of the Illinois Courts

TABLE OF CONTENTS

APPENDICES

Introduction

In Illinois, court-annexed arbitration is a mandatory, non-binding, non-court procedure designed to resolve disputes by utilizing a neutral third party, called an arbitration panel. Mandatory arbitration uses rules of evidence and procedure that are less formal than those followed in trial courts, which usually leads to a faster, less expensive resolution of disputes. An arbitration panel can recommend, but not impose, a decision. In the fifteen jurisdictions approved by the Supreme Court to operate such programs, all civil cases filed, in which the amount of monetary damages being sought falls within the program's jurisdictional limit, are subject to the arbitration process. These modest sized claims are amenable to closer management and faster resolution by using a less formal alternative process than a typical trial court proceeding.

In the exercise of its general administrative and supervisory authority over Illinois courts, the Supreme Court promulgates comprehensive rules (Supreme Court Rule 86, *et seq.*) that prescribe actions subject to mandatory arbitration. The rules address a range of operational procedures including: appointment, qualifications, and compensation of arbitrators; the scheduling of hearings; the discovery process; the conduct of hearings; absence of a party; award and judgment on an award; rejection of an award; and form of oath, award and notice of award.

The State Fiscal Year 2007 Annual Report summarizes the activity of court-annexed mandatory arbitration from July 1, 2006 through June 30, 2007. The report includes an overview of mandatory arbitration in Illinois and contains statistical data as reported by each arbitration program. Aggregate statewide statistics are provided as an overview of Illinois' fifteen court-annexed mandatory arbitration programs. The final section of the report is devoted to providing a brief narrative and data profile for each of the court-annexed mandatory arbitration programs. To view a history of mandatory arbitration, which began in 1987, please reference the State Fiscal Year 2004 Court-Annexed Mandatory Arbitration Annual Report located on the Supreme Court's website at www.state.il.us/court.

Administration

The Administrative Office of the Illinois Courts, the Alternative Dispute Resolution Coordinating Committee of the Illinois Judicial Conference and local arbitration supervising judges and administrators, provide ongoing support to the mandatory arbitration programs in Illinois. A brief description of the roles and functions of these entities is herein provided.

Administrative Office of the Illinois Courts

The Administrative Office of the Illinois Courts (AOIC) works with the circuit courts to coordinate the operations of the arbitration programs throughout the state. Administrative Office staff assist in:

- Establishing new arbitration programs that have been approved by the Supreme Court;
- Drafting local rules;
- Recruiting personnel;
- Acquiring facilities;
- Training new arbitrators;
- Purchasing equipment;
- Developing judicial calendaring systems;
- Preparing budgets;
- Processing vouchers;
- Addressing personnel issues;
- Compiling statistical data;
- Negotiating contracts and leases; and
- Coordinating the collection of arbitration filing fees

In addition, AOIC staff serve as liaison to the Illinois Judicial Conference's Alternative Dispute Resolution Coordinating Committee.

Alternative Dispute Resolution Coordinating Committee

The charge of the Alternative Dispute Resolution Coordinating Committee, as directed by the Supreme Court, is to:

- Monitor and assess court-annexed mandatory arbitration programs;
- Make recommendations for proposed policy modifications to the full body of the Illinois Judicial Conference;
- Survey and compile information regarding existing court-supported dispute resolution programs;
- Explore and examine innovative dispute resolution processing techniques;
- Study the impact of proposed amendments to relevant Supreme Court rules; and
- Propose rule amendments in response to suggestions and information received from program participants, supervising judges and arbitration administrators.

Local Administration

The chief circuit judge in each jurisdiction operating a mandatory arbitration program appoints a supervising judge to provide oversight for the arbitration program. The supervising judge:

- Has authority to resolve questions arising in arbitration proceedings;
- Reviews applications for appointment or re-certification of an arbitrator;
- Considers complaints about an arbitrator or the arbitration process; and
- Promotes the dissemination of information about the arbitration process, the results of arbitration, developing case law and new practices and procedures in the area of arbitration.

The supervising judges are assisted by arbitration administrators who are responsible for duties such as:

- Maintaining a roster of active arbitrators;
- Scheduling arbitration hearings;
- Conducting arbitrator training;
- Compiling statistical information required by the AOIC;
- Processing vouchers; and
- Submitting purchase requisitions related to arbitration programs.

Case Flow and Hearings Calendar

Case Assignment

In most instances, cases are assigned to mandatory arbitration calendars either as initially filed or by court transfer. In an initial filing, litigants may file their case with the office of the clerk of the circuit court as an arbitration case. The clerk assigns the case an “AR” designation, which places the matter directly onto the calendar of the supervising judge for arbitration. However, in the Circuit Court of Cook County, cases are not initially filed as arbitration cases. All civil cases in which the money damages being sought are between $10,000 and $50,000 are filed in the Municipal Department and are given an "M" designation by the clerk. Cases in which the money damages being sought are greater than $10,000 but do not exceed $30,000 are considered “arbitration-eligible.” After all preliminary matters are heard, arbitration-eligible cases are transferred to the arbitration program.

An additional means by which cases are assigned to a mandatory arbitration calendar is through transfer by the court. In all jurisdictions operating a court-annexed mandatory arbitration program, if it appears to the court that no claim in the action has a value in excess of the particular arbitration program’s jurisdictional amount, a case may be transferred to the arbitration calendar from another calendar. For example, if the court finds that an action originally filed as a law case (actions for damages in excess of $50,000) has a potential for damages within the jurisdictional amount for arbitration, the court may transfer the law case to the arbitration calendar.

Pre-Hearing Matters

The pre-hearing stage for cases subject to arbitration is similar to the pretrial stage for all cases. Summons are issued, motions are made and argued, and discovery is conducted. However, for cases subject to arbitration, discovery is limited pursuant to Illinois Supreme Court Rules 89 and 222.

One of the most important features of the arbitration program is the court's control of the time elapsed between the date of filing or transfer of the case to the arbitration calendar and the arbitration hearing. Supreme Court Rule 88 mandates speedy dispositions. Pursuant to the Rule, and consistent with the practices of each program site, all cases set for arbitration must proceed to hearing within one year of the date of filing or transfer to the arbitration calendar unless continued by the court upon good cause shown.

Pre-Hearing Calendar

The first stage of the arbitration process is pre-hearing. The pre-hearing arbitration calendar is comprised of new filings, reinstatements and transfers from other calendars. Cases may be removed from the pre-hearing calendar in either a dispositive or non-dispositive manner. A dispositive removal is one which terminates the case prior to commencement of the arbitration hearing. There are generally three types of pre-hearing dispositive removals: entry of a judgment, case dismissal, or the entry of a settlement order by the court.

A non-dispositive removal of a case from the pre-hearing arbitration calendar may remove the case from the arbitration calendar altogether. Other non-dispositive removals may simply move the case along to the next stage of the arbitration process. A case which has proceeded to an arbitration hearing, for example, is considered a non-dispositive removal from the pre-hearing calendar. Non-dispositive removals also include those occasions when a case is placed on a special calendar. For example, a case transferred to a bankruptcy calendar will generally stay all arbitration-related activity. Another type of non-dispositive removal from the pre-hearing calendar occurs when a case is transferred out of arbitration. Occasionally, a judge may decide that a case is not suited for arbitration and transfer the case to the appropriate calendar.

To provide litigants with the timeliest disposition of their cases, Illinois' arbitration system encourages attorneys and litigants to focus their early attention on arbitration-eligible cases. Therefore, the practice is to set a firm and prompt date for the arbitration hearing so that disputing parties, anxious to avoid the time and cost of an arbitration hearing, have a powerful incentive to negotiate and settle the matter prior to the hearing. In instances where a default judgment can be taken, parties are also encouraged to seek that disposition at the earliest possible time.

As a result of this program philosophy, a sizeable portion of each jurisdiction's arbitration caseload terminates voluntarily, or by court order, in advance of the arbitration hearing. An analysis of the State Fiscal Year 2007 statistics indicates that parties are carefully managing their cases and working to settle their disputes without significant court intervention prior to the arbitration hearing. During State Fiscal Year 2007, 53% of the cases on the pre-hearing arbitration calendar were disposed through default judgment, dismissal or some other form of pre-hearing termination. While it is true that a large number of these cases may have terminated without the need for a trial, and regardless of the availability of the arbitration process, the arbitration process tends to motivate a

disposition sooner in the life of most cases due in part to the setting of a firm hearing date.

Additionally, terminations via court-ordered dismissals, voluntary dismissals, settlement orders and default judgments typically require limited court time to process. To the extent that arbitration encourages these dispositions, the system helps save the court and the litigants the expense of more costly, more time consuming proceedings.

A high rate of pre-hearing terminations also allows each program site to remain current with its hearing calendar and may allow the court to reduce a backlog. The combination of pre-hearing terminations and arbitration hearing capacity enables the system to absorb and process a greater number of cases in less time. (See Appendix 1 for Pre-Hearing Calendar Data).

Arbitration Hearing and Award

With some exceptions, the arbitration hearing resembles a traditional trial court proceeding. The Illinois Code of Civil Procedure and the rules of evidence apply. However, Supreme Court Rule 90(c) makes certain documents presumptively admissible. These documents include bills, records, and reports of hospitals, doctors, dentists, repair persons and employers, as well as written statements from opinion witnesses. The streamlined mechanism for the presentation of evidence enables attorneys to present their cases without undue delay.

Unlike proceedings in the trial court, the arbitration hearing is conducted by a panel of three attorneys who serve as arbitrators and are trained pursuant to local rules. At the hearing, each party to the dispute makes a concise presentation of his/her case to the arbitrators. Immediately following the hearing, the arbitrators deliberate privately and decide the issues as presented. To find in favor of a party requires the concurrence of two arbitrators. In most instances, an arbitration hearing is completed in approximately two hours. Following the hearing and the arbitrators' disposition, the clerk of the court records the arbitration award and forwards notice to the parties. As a courtesy to the litigants, many arbitration centers post the arbitration award immediately following submission by the arbitrators, thereby notifying the parties of the outcome on the same day as the hearing.

Post-Hearing Calendar

The post-hearing arbitration calendar consists largely of cases which have been heard by an arbitration panel and are awaiting further action. Upon conclusion of an arbitration hearing, a case is removed from the pre-hearing arbitration calendar and added to the post-hearing calendar. Cases previously terminated following a hearing may also be subsequently reinstated (added) at this stage. However, this is a rare occurrence even

in the larger arbitration programs.

Arbitration administrators report three types of post-hearing removals from the arbitration calendar: (1) entry of judgment on the arbitration award; (2) dismissal or settlement by order of the court; or (3) rejection of the arbitration award. While any of these actions will remove a case from the post-hearing calendar, only judgment on the award or dismissal and settlement result in termination of the case. These actions are considered dispositive removals. Post-hearing terminations, or dispositive removals, are typically the most common means by which cases are removed from the post-hearing arbitration calendar.

A rejection of an arbitration award is a non-dispositive removal of a case from the post-hearing arbitration calendar, which places the case on the post-rejection arbitration calendar.

A commonly cited measure of performance for court-annexed arbitration programs is the extent to which awards are accepted by the litigants as the final resolution of the case. However, parties have many resolution options after the arbitration hearing is concluded. Tracking the various options by which post-hearing cases are removed from the arbitration inventory provides the most accurate measure.

A satisfied party may move the court to enter judgment on the arbitration award. Statewide statistics indicate 23% of parties in arbitration hearings motioned the court to enter a judgment on an award. If no party rejects the arbitration award, the court may enter judgment. Figures reported indicate that approximately 37% of the cases which progressed to a hearing were disposed after the arbitration hearing on terms other than those stated in the award. These cases were disposed either through settlement reached by the parties or by voluntary dismissals. The parties work toward settling the conflict prior to the deadline for rejecting the arbitration award. These statistics suggest that in a number of cases which progress to hearing, the parties may be guided by the arbitrator's assessment of the worth of the case, but they may not want a judgment entered.

The post-hearing statistics for arbitration programs consist of judgments entered on the arbitration award and settlements reached after the arbitration award and prior to the expiration for the filing of a rejection.

Rejecting an Arbitration Award

Supreme Court Rule 93 sets forth four conditions which a party must meet in order to reject an arbitration award. The rejecting party must: (1) have been present, personally or via counsel, at the arbitration hearing or that party's right to reject the award will be deemed waived; (2) have participated in the arbitration process in good faith and in a meaningful manner; (3) file a rejection notice within thirty days of the date the award was filed; and (4) unless indigent, pay a rejection fee. If these four conditions are not met, the

party may be barred from rejecting the award and any other party to the action may petition the court to enter a judgment on the arbitration award. If a party's rejection of an arbitration award is filed and not barred, the supervising judge for arbitration must place the case on the trial call.

The rejection fee is intended to discourage frivolous rejections. All such fees are paid to the clerk of the court, who forwards the fee to the State Treasurer for deposit in the Mandatory Arbitration Fund. For awards of $30,000 or less, the rejection fee is $200. For awards greater than $30,000, the rejection fee is $500.

Rejection rates for arbitration awards vary from county to county. In State Fiscal Year 2007, the statewide average rejection rate was 54% and is fairly consistent with the five year average of 49% (State Fiscal Year 2003 through 2007). Although the rejection rate may seem high, the success of arbitration is best measured by the percentage of cases resolved before trial, rather than by the rejection rate of arbitration awards alone. (See Appendix 2 for Post-Hearing Calendar Data). Of cases qualifying for the arbitration process, less than 2% ultimately go to trial in the trial courts.

Post-Rejection Calendar

The post-rejection calendar consists of arbitration cases in which one of the parties rejects the award of the arbitrators and seeks a trial before a judge or jury. In addition, cases which are occasionally reinstated at this stage of the arbitration process may be added to the inventory of cases pending post-rejection action. Removals from the post-rejection arbitration calendar are generally dispositive. When a case is removed by way of judgment before or after trial, dismissal or settlement, it is removed from the court's inventory of pending civil cases.

Many options remain available to parties after having rejected an award. As noted, parties file a notice of rejection of the arbitration award for the same variety of tactical reasons that they file notices of appeal from trial court judgments. More significant than the rejection rate is the frequency with which arbitration cases are settled subsequent to the rejection, but prior to trial. Of these cases that have gone to hearing, but for which the award has been rejected, 44% are still resolved. (See Appendix 3 for Post-Rejection Calendar Data).

Program Summary

A review and analysis of the data and program descriptions supports the conclusion that the arbitration system in Illinois is operating consistent with policy makers' initial expectations for the program. Parties to arbitration proceedings are working to settle their differences without significant court intervention. The aggressive scheduling of arbitration hearing dates induces early settlements by requiring the parties to carefully manage the case prior to an arbitration hearing. Because arbitration hearings are held within one year of the filing or transfer of the arbitration case, most jurisdictions can dispose of approximately 90% of the arbitration caseload within one year of case filing.

Arbitration encourages dispositions earlier in the life of cases, helping courts operate more efficiently. Statewide figures show that only a small number of the cases filed or transferred into arbitration proceed to an arbitration hearing, and an even smaller number of cases proceed to trial. Arbitration-eligible cases are resolved and disposed prior to hearing in ways that do not require a significant amount of court time. Court-ordered dismissals, voluntary dismissals, settlement orders and default judgments typically require very little court time to process.

Statewide statistics also show that a large number of cases that do proceed to the arbitration hearing are terminated in a post-hearing proceeding. In such cases, the parties either petition the court to enter judgment on the arbitration award or remove the case from the arbitration calendar via another form of post-hearing termination, including settlement.

Not only has mandatory arbitration proven to be an effective means of disposing cases swiftly for litigants, but the overall success of the program is best exemplified in the fact that a statewide average of less than 2% of the cases filed in an arbitration program proceeded to trial in State Fiscal Year 2007.

New Developments in State Fiscal Year 2007

- At its January 2007 Term, the Supreme Court adopted an amendment to Supreme Court Rule 87, *Appointment, Qualification and Compensation of Arbitrators,* effective February 1, 2007. The amendment increased the compensation for each arbitrator from $75.00 per hearing to $100.00 per hearing. (See Appendix 5)

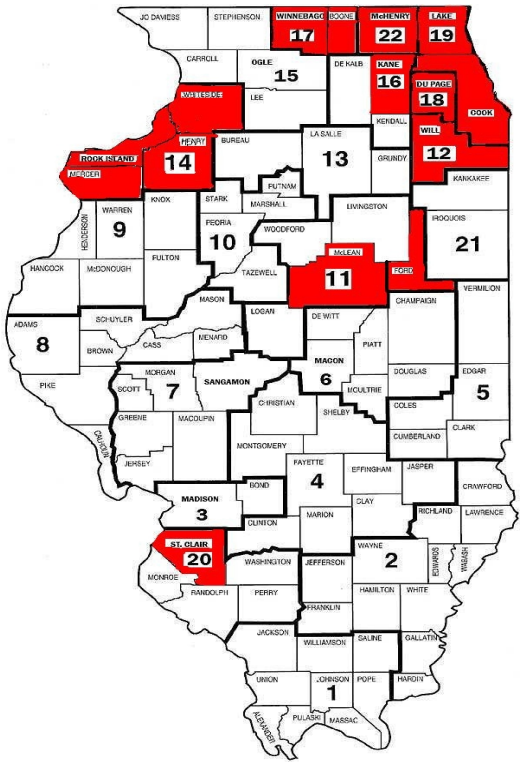
- At its November 2006 Term, the Supreme Court approved a petition by the Third Judicial Circuit to commence operations, effective July 1, 2007, of a court-annexed mandatory arbitration program in Madison County.

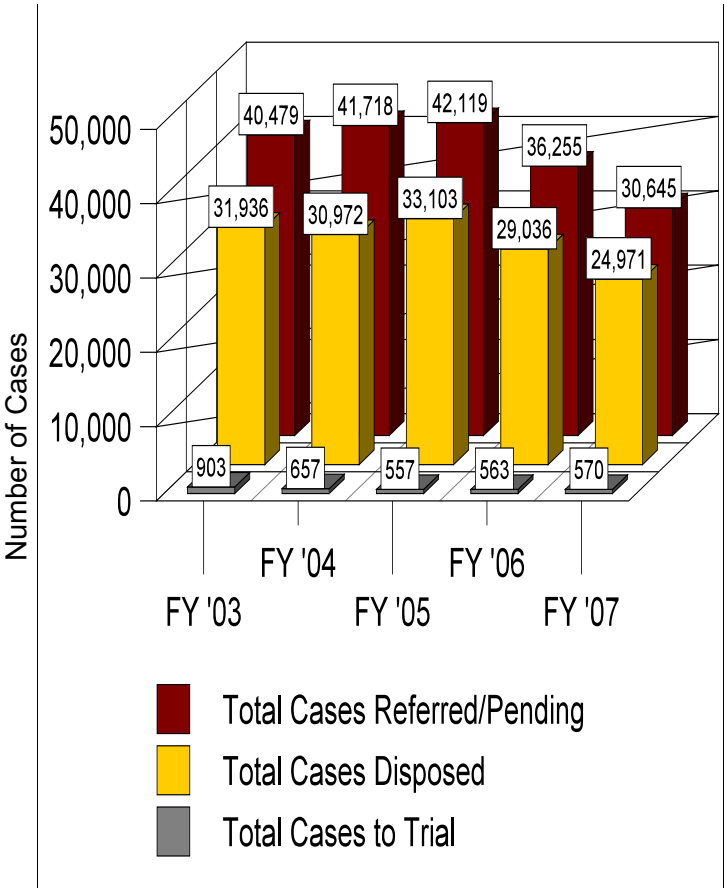
- The Administrative Office convened a workgroup to examine the current data collection/statistical reporting requirements of the arbitration programs for the purpose of enriching data analysis and improving program operations and outcomes.

- A new table (Appendix 4) is included in this year's report. The table contains information concerning the number of arbitration-eligible cases as a percentage of the total civil case filings for each county with a mandatory arbitration program. In sum, the data suggests that arbitration eligible cases comprise from 2% to10% of a jurisdiction's civil filings.

- In this year's report, numbers for the cases referred/pending and cases disposed were recalculated to more accurately depict the arbitration caseflow.

STATEWIDE DATA PROFILE





STATEWIDE DATA PROFILE

(Includes Information from Illinois' Fifteen Arbitration Programs)

While the number of cases referred to Illinois' arbitration programs increased annually from 2003 through 2005, the same cannot be said for the past two years. The decrease in cases referred to arbitration may be directly attributable to amended Supreme Court Rule 281, which raised small claims jurisdiction to $10,000, thereby reducing the number of cases eligible for mandatory arbitration. From 2003 through 2007, an average of 30,503 cases were referred to arbitration.

The chart to the left presents information regarding the total number of cases litigated in all fifteen arbitration programs which were either resolved during the arbitration process or, ultimately proceeded to trial. Program data indicates that either a settlement or dismissal was reached in 81% (24,971 of 30,645 cases were disposed) of the cases filed in Illinois' arbitration programs for State Fiscal Year 2007. This disposition rate is higher than the five year average of 78%.

State Fiscal Year 2007
State of Illinois
At A Glance Arbitration Caseload Information

Number of Cases Pending / Referred to Arbitration	30,645
Number of Cases Settled / Dismissed	24,971
Number of Arbitration Hearings	11,038
Number of Awards Accepted	2,557
Number of Awards Rejected	5,987
Number of Cases Filed in Arbitration which Proceeded to Trial	570

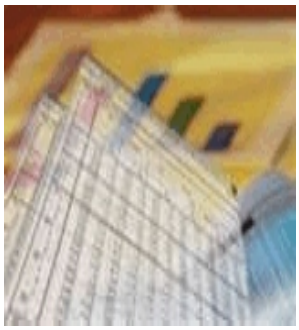
A more significant performance indicator for arbitration, however, is the number of cases which, having been arbitrated, proceed to trial. In State Fiscal Year 2007, statewide figures indicate that less than 2% of the cases filed in Illinois' arbitration programs proceeded to trial. This rate tracks the five-year trend (2003 - 2007).

CASELOAD

The table below reports, by jurisdiction, the number of cases referred to mandatory arbitration, the total cases resolved during the arbitration process, and the number of cases which ultimately proceeded to trial.

Arbitration Program	Cases Referred to Mandatory Arbitration in 2007	Total Cases Resolved in Arbitration	Total Cases to Trial
Boone	106	99	2
Cook	11,432	10,916	340
DuPage	3,748	4,624	57
Ford	30	29	1
Henry	85	81	1
Kane	1,229	1,253	28
Lake	1,830	1,876	36
McHenry	807	836	16
McLean	768	694	11
Mercer	22	26	0
Rock Island	354	394	17
St. Clair	1,911	1,766	7
Whiteside	117	127	1
Will	1,457	1,458	32
Winnebago	857	792	21

TYPES OF CASES



The table below reports, by jurisdiction, the types of cases that are heard in arbitration.

Arbitration Program	Automobile/ Subrogation	Collections	Contracts	Liability/ Tort	Property Damage	Personal Injury	Other
Boone	0	0	9	0	0	6	0
Cook	2,827	1,878*	0	1,967**	0	5,413	95
DuPage	303	24	105	39	22	134	4
Ford	0	2	2	0	0	0	0
Henry	1	0	1	0	1	2	0
Kane	46	16	29	7	13	67	2
Lake	142	31	54	7	32	127	3
McHenry	37	20	36	0	3	42	0
McLean	0	18	24	0	4	20	0
Mercer	1	0	1	0	1	0	0
Rock Island	14	3	9	6	1	36	3
St. Clair	31	11	21	11	8	51	3
Whiteside	3	0	3	0	0	8	0
Will	206	35	41	0	11	11	8
Winnebago	8	1	31	0	2	71	0

*This figure includes Collections and Contracts
**This figure includes Liability, Tort and Property Damage

AVERAGE AWARD AND AVERAGE NUMBER OF DAYS

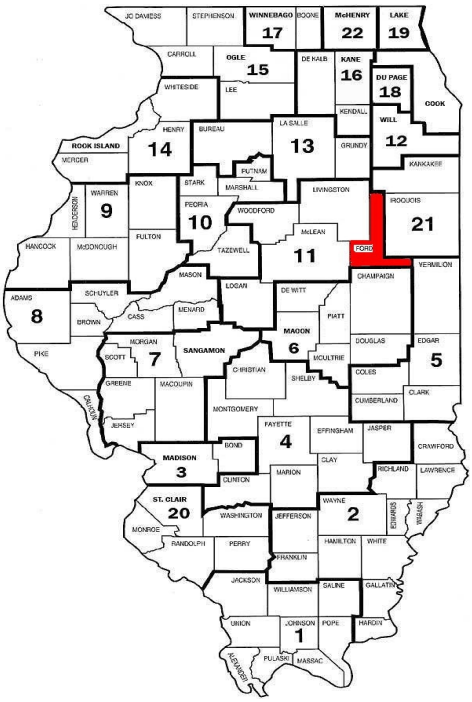
The table below reflects, by jurisdiction, the average award amount and the average number of days by case type in the arbitration system.

Arbitration Program	Automobile/ Subrogation	Collections	Contracts	Liability/ Tort	Property Damage	Personal Injury	Other
Boone	$0	$0	$8,804 426 Days	$0	$0	$22,332 484 Days	$0
Cook	$8,140 417 Days	$25,145* 388 Days	$0	$42,532** 439 Days	$0	$30,237 496 Days	$7,446 387 Days
DuPage	$6,167 322 Days	$10,534 354 Days	$15,767 354 Days	$15,164 322 Days	$5,197 250 Days	$12,678 360 Days	$8,019 242 Days
Ford	$0	$32,361 131 Days	$4,228 245 Days	$0	$0	$0	$0
Henry	$2,250 427 Days	$0	$12,025 487 Days	$0	$4,250 695 Days	$8,810 275 Days	$0
Kane	$9,300 436 Days	$8,081 526 Days	$10,318 618 Days	$13,628 479 Days	$6,018 422 Days	$9,928 559 Days	$2,500 431 Days
Lake	$6,176 263 Days	$11,431 359 Days	$9,345 333Days	$9,611 555 Days	$2,641 251 Days	$12,536 360 Days	$10,118 299 Days
McHenry	$4,412 238 Days	$11,295 296 Days	$9,257 370 Days	$0	$7,325 222 Days	$13,054 350 Days	$0
McLean	$0	$13,197 260 Days	$13,687 332 Days	$0	$4,443 224 Days	$17,669 436 Days	$0
Mercer	$5,435 415 Days	$0	$0 132 Days	$0	$0 1,064 Days	$0	$0
Rock Island	$7,788 356 Days	$8,667 197 Days	$13,248 420 Days	$5,083 583 Days	$0 720 Days	$8,273 531 Days	$12,288 333 Days
St. Clair	$9,717 384 Days	$7,196 401 Days	$8,358 458 Days	$15,209 596 Days	$5,500 260 Days	$13,132 414 Days	$10,000 266 Days
Whiteside	$11,010 870 Days	$0	$8,500 414 Days	$0	$0	$15,232 855 Days	$0
Will	$10,858 623 Days	$11,903 589 Days	$10,571 615 Days	$0	$5,313 764 Days	$10,569 610 Days	$4,417 540 Days
Winnebago	$9,436 354 Days	$9,077 219 Days	$8,731 342 Days	$0	$1,414 324 Days	$12,061 330 Days	$0

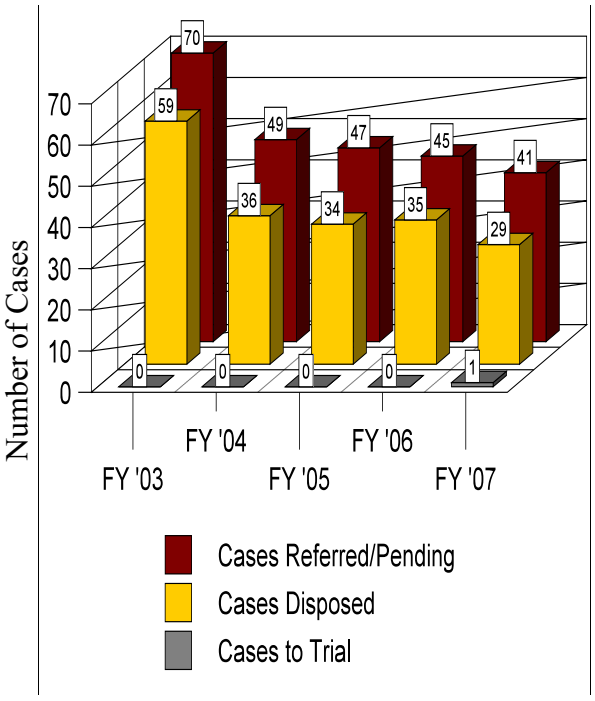
*This figure includes Collections and Contracts

**This figure includes Liability, Tort and Property Damage

CIRCUIT PROFILES
AND
CASELOAD ACTIVITY



Ford County
Five - Year Disposition Trend



Eleventh Judicial Circuit

(Ford and McLean Counties)

Arbitration Program Information

Ford County

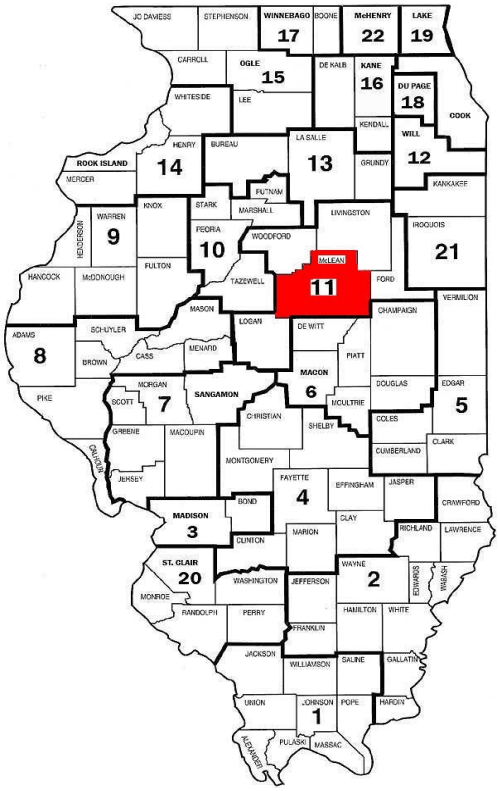
In March of 1996, the Supreme Court of Illinois entered an order which authorized Ford and McLean Counties in the Eleventh Judicial Circuit to begin operating arbitration programs. The arbitration program center for the Eleventh Judicial Circuit is located near the McLean County Law and Justice Center in Bloomington, Illinois which hosts hearings for both counties. A supervising judge from each county is assigned to oversee arbitration matters and both are assisted by an arbitration program administrator.

The chart to the left presents information regarding the total number of cases litigated in arbitration which were either resolved during the arbitration process or, ultimately went to trial. Program data indicates that either a settlement or dismissal was reached in 71% (29 of 41 cases were disposed) of the cases filed in the Ford County arbitration program for State Fiscal Year 2007. This disposition rate is lower than the five year average of 79% and the statewide average of 81%.

State Fiscal Year 2007
Ford County
At A Glance Arbitration Caseload Information

Number of Cases Pending / Referred to Arbitration	41
Number of Cases Settled /Dismissed	29
Number of Arbitration Hearings	4
Number of Awards Accepted	4
Number of Awards Rejected	1
Number of Cases Filed in Arbitration which Proceeded to Trial	1

The data for Ford County's 2007 arbitration operations is reflected in the chart to the left. In Ford County, only one case filed in arbitration proceeded to trial.



Eleventh Judicial Circuit

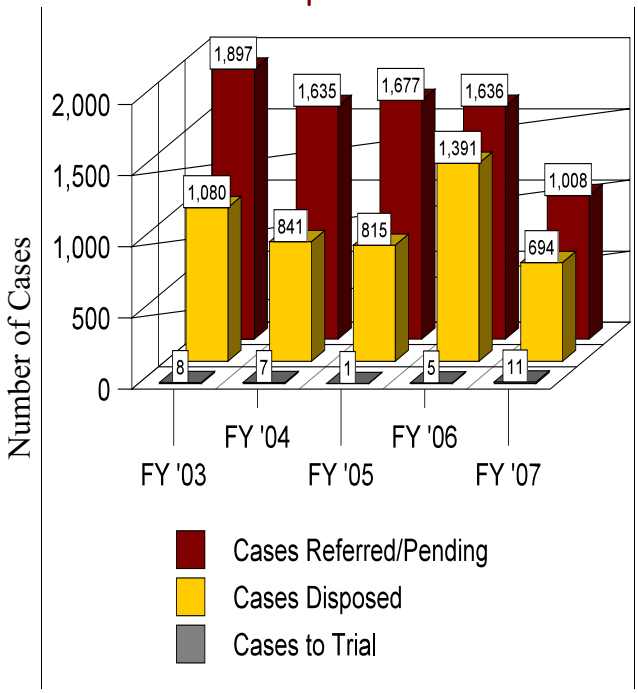
(Ford and McLean Counties)

McLean County

While cases referred to McLean County's arbitration program vary annually, an average of 880 cases per year were referred to arbitration over the past five state fiscal years.

The chart to the left presents information on a five year trend for the total number of cases litigated in arbitration which were either resolved during the arbitration process, or ultimately went to trial. Program data indicates that either a settlement or dismissal was reached in 69% (694 of 1,008 cases were disposed) of the cases filed in the McLean County arbitration program for State Fiscal Year 2007. This disposition rate is higher than the five year average of 64%, but is lower than the statewide average of 81%.

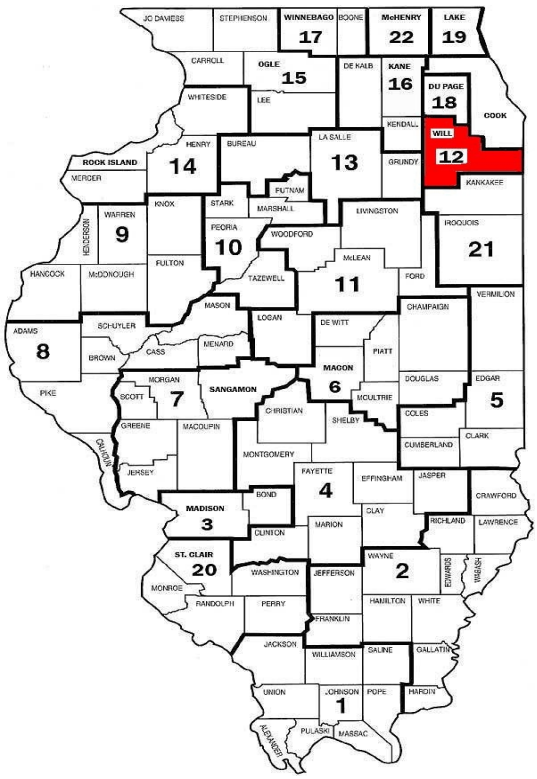
McLean County
Five - Year Disposition Trend



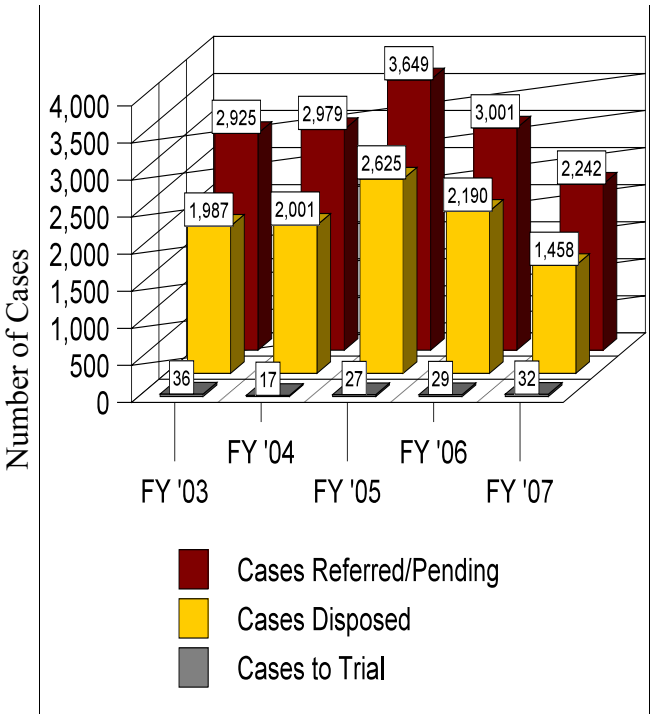
State Fiscal Year 2007
McLean County
At A Glance Arbitration Caseload Information

Number of Cases Pending / Referred to Arbitration	1,008
Number of Cases Settled / Dismissed	694
Number of Arbitration Hearings	66
Number of Awards Accepted	32
Number of Awards Rejected	18
Number of Cases Filed in Arbitration which Proceeded to Trial	11

The data for McLean County's 2007 arbitration operations is reflected in the chart to the left. In McLean County, slightly more than one percent (1%) of the cases litigated in arbitration proceeded to trial.



Will County
Five-Year Disposition Trend



Twelfth Judicial Circuit

(Will County)

Arbitration Program Information

The Twelfth Judicial Circuit is one of five single-county circuits in Illinois. The Will County Arbitration Center is housed near the courthouse in Joliet, Illinois. After the Supreme Court approved its request, Will County began hearing arbitration cases in December of 1995. An arbitration supervising judge is assigned to oversee arbitration matters and is assisted by a trial court administrator and an arbitration program assistant.

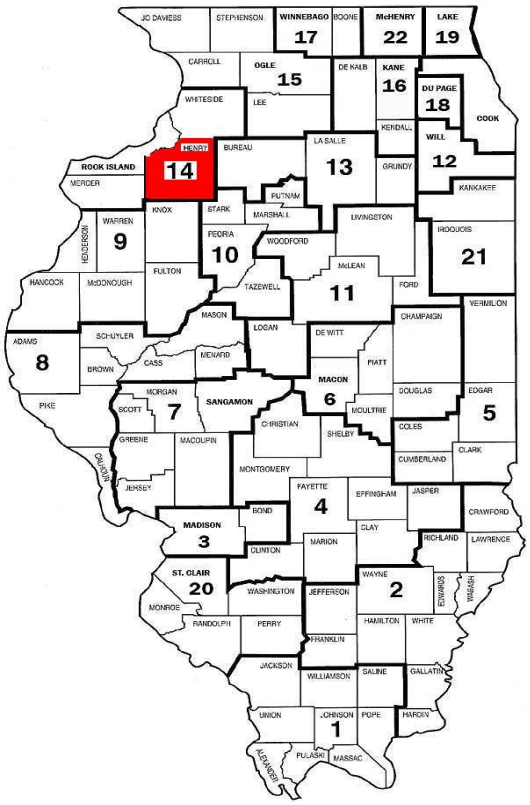
The chart to the left presents information regarding the total number of cases litigated in arbitration which were either resolved during the arbitration process or, ultimately proceeded to trial. Program data indicates that either a settlement or dismissal was reached in 65% (1,458 of 2,242 cases were disposed) of the cases filed in the Will County arbitration program for State Fiscal Year 2007.

State Fiscal Year 2007
Will County
At A Glance Arbitration Caseload Information

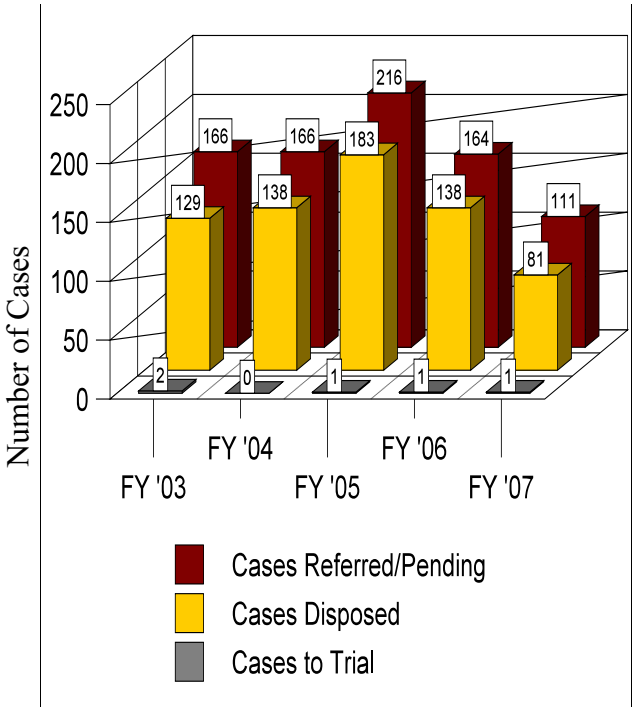
Number of Cases Pending / Referred to Arbitration	2,242
Number of Cases Settled / Dismissed	1,458
Number of Arbitration Hearings	308
Number of Awards Accepted	62
Number of Awards Rejected	141
Number of Cases Filed in Arbitration which Proceeded to Trial	32

While cases referred to Will County's arbitration program increased annually from 2003 through 2005, the same cannot be said for the past two years. The decrease in cases may be directly attributable to Supreme Court Rule 281 which raised the small claims jurisdiction to $10,000 thereby reducing the number of cases eligible for mandatory arbitration. From 2003 through 2007, an annual average of 2,051 cases were referred to arbitration.

The data for Will County's 2007 arbitration operations is reflected in the chart to the left. In Will County, slightly more than one percent (32 of 2,242) of cases filed in arbitration proceeded to trial.



Henry County
Five - Year Disposition Trend



Fourteenth Judicial Circuit

(Henry, Mercer, Rock Island and Whiteside Counties)

Arbitration Program Information

The Fourteenth Judicial Circuit is comprised of Henry, Mercer, Rock Island and Whiteside Counties. In November 1999, the Supreme Court authorized the inception of the program and arbitration hearings began in October 2000. This circuit is the first to receive permanent authorization to hear cases with damage claims up to $50,000. Hearings are conducted in the arbitration center located in Rock Island. A supervising judge oversees arbitration matters for all counties and is assisted by a trial court administrator and arbitration program assistant.

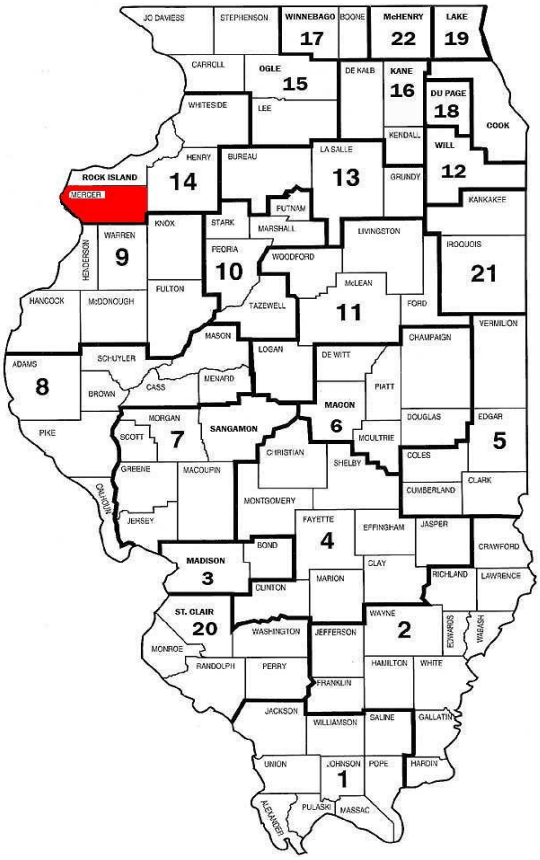
The chart to the left presents information regarding the total number of cases litigated in arbitration which were either resolved during the arbitration process or, ultimately went to trial. Program data indicates that either a settlement or dismissal was reached in 73% (81 of 111 cases were disposed) of the cases filed in the Henry County arbitration program for State Fiscal Year 2007. This disposition rate is lower than the five year average and statewide averages of 81%.

State Fiscal Year 2007
Henry County
At A Glance Arbitration Caseload Information

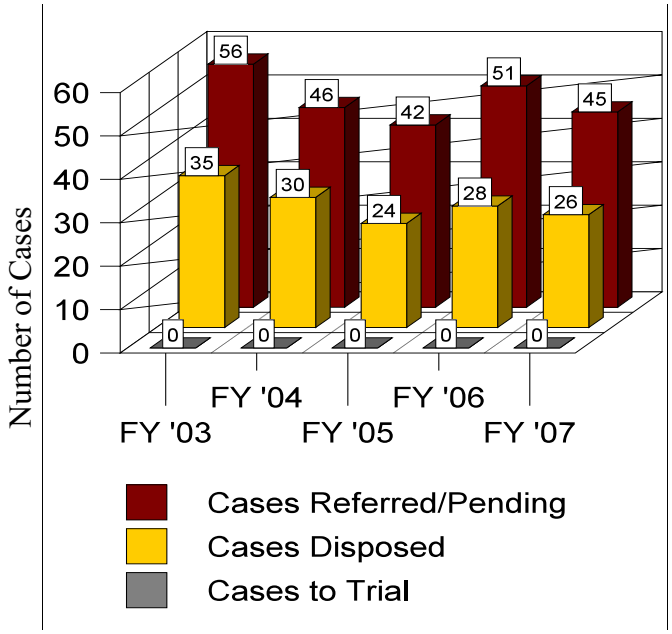
Number of Cases Pending / Referred to Arbitration	111
Number of Cases Settled /Dismissed	81
Number of Arbitration Hearings	5
Number of Awards Accepted	3
Number of Awards Rejected	1
Number of Cases Filed in Arbitration which Proceeded to Trial	1

While cases referred to Henry County's arbitration program increased annually from 2003 through 2005, the same cannot be said for the past two years. The decrease in cases referred to arbitration may be directly attributable to Supreme Court Rule 281 which raised the small claims jurisdiction to $10,000 thereby reducing the number of cases eligible for mandatory arbitration. From 2003 through 2007, an annual average of 125 cases have been referred to arbitration.

The data for Henry County's 2007 arbitration operations is reflected in the chart to the left. In Henry County, only one of the cases filed in arbitration proceeded to trial.



Mercer County
Five - Year Disposition Trend



Fourteenth Judicial Circuit

(Henry, Mercer, Rock Island and Whiteside Counties)

Mercer County

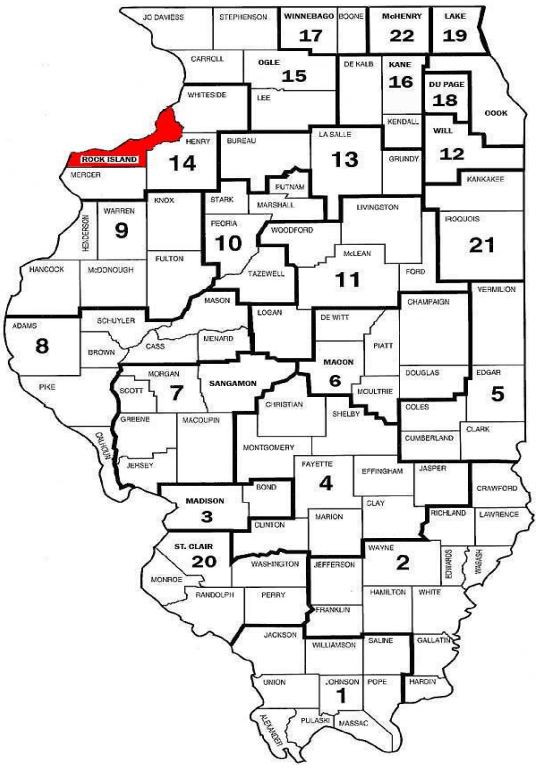
While cases referred to Mercer County's arbitration program vary annually, an average of 29 cases per year were referred to arbitration over the past five state fiscal years.

The chart to the left presents information regarding the total number of cases litigated in arbitration which were either resolved during the arbitration process or, ultimately went to trial. Program data indicates that either a settlement or dismissal was reached in 58% (26 of 45 cases were disposed) of the cases filed in the Mercer County arbitration program for State Fiscal Year 2007. This disposition rate is slightly lower than the five year average of 61% and is significantly less than the statewide average of 81%.

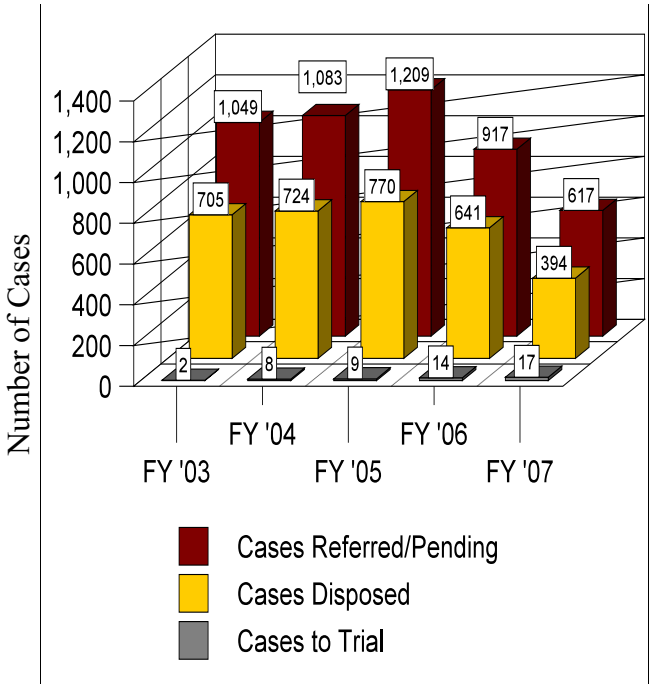
State Fiscal Year 2007
Mercer County
At A Glance Arbitration
Caseload Information

Number of Cases Pending / Referred to Arbitration	45
Number of Cases Settled / Dismissed	26
Number of Arbitration Hearings	3
Number of Awards Accepted	1
Number of Awards Rejected	0
Number of Cases Filed in Arbitration which Proceeded to Trial	0

The data for Mercer County's 2007 arbitration operations is reflected in the chart to the left. In Mercer County, none of the cases litigated in arbitration proceeded to trial.



Rock Island County
Five-Year Disposition Trend



Fourteenth Judicial Circuit

(Henry, Mercer, Rock Island and Whiteside Counties)

Rock Island County

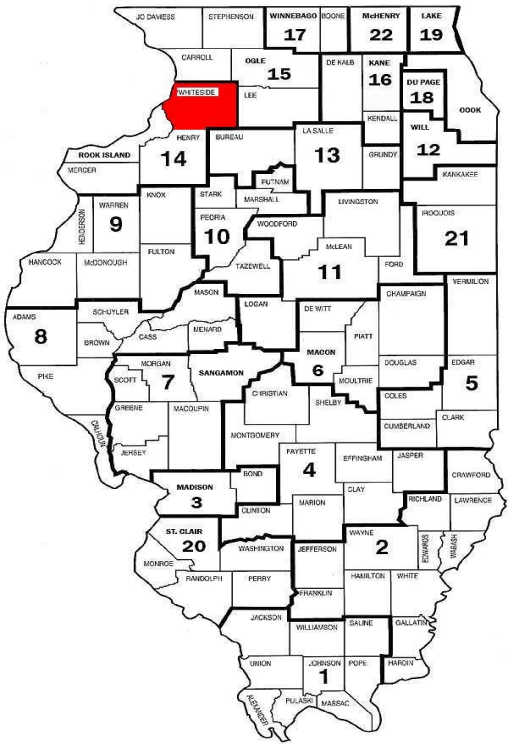
While cases referred to Rock Island County's arbitration program increased annually from 2003 through 2005, the same cannot be said for the past two years. The decrease in cases referred to arbitration may be directly attributable to Supreme Court Rule 281 which raised the small claims jurisdiction to $10,000 thereby reducing the number of cases eligible for mandatory arbitration. From 2003 through 2007, an annual average of 631 cases have been referred to arbitration.

The chart to the left presents information regarding the total number of cases litigated in arbitration which were either resolved during the arbitration process or, ultimately went to trial. Program data indicates that either a settlement or dismissal was reached in 64% (394 of 617 cases were disposed) of the cases filed in the Rock Island County arbitration program for State Fiscal Year 2007. This disposition rate is lower than the five year average of 70% and significantly less than the statewide average of 81%.

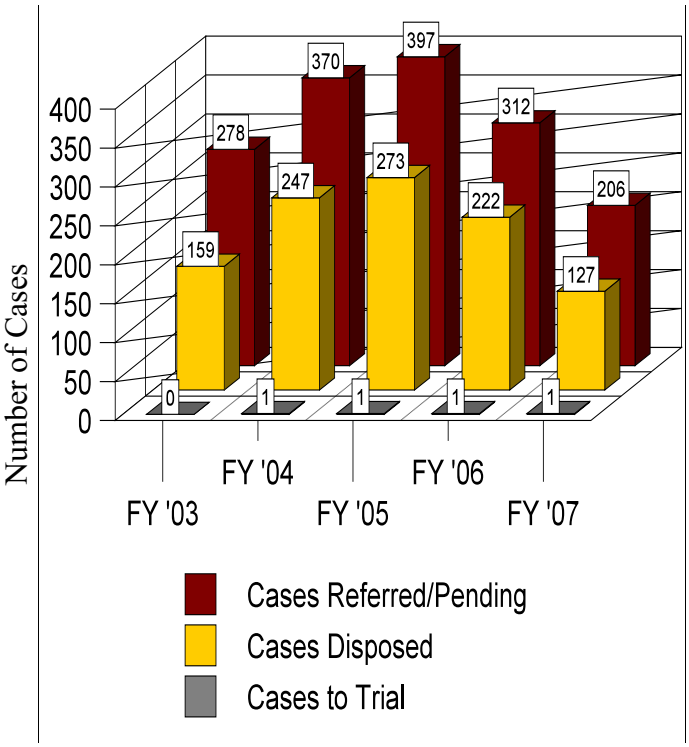
State Fiscal Year 2007
Rock Island County
At A Glance Arbitration
Caseload Information

Number of Cases Pending / Referred to Arbitration	617
Number of Cases Settled / Dismissed	394
Number of Arbitration Hearings	74
Number of Awards Accepted	9
Number of Awards Rejected	38
Number of Cases Filed in Arbitration which Proceeded to Trial	17

The data for Rock Island County's 2007 arbitration operations is reflected in the chart to the left. In Rock Island County, less than 3% of the cases (17 of the 617) filed in arbitration proceeded to trial.



Whiteside County
Five-Year Disposition Trend



Fourteenth Judicial Circuit

(Henry, Mercer, Rock Island and Whiteside Counties)

Whiteside County

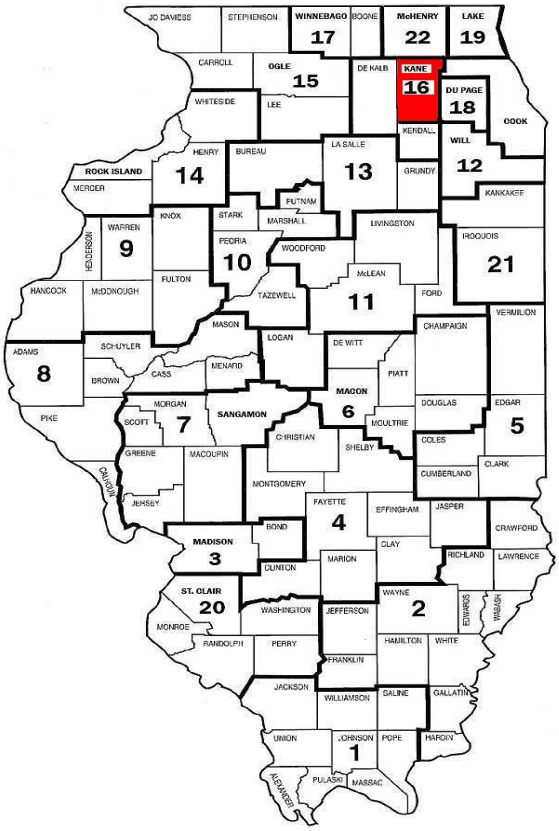
While cases referred to Whiteside County's arbitration program vary annually, an average of 205 cases per year were referred to arbitration over the past five state fiscal years.

The chart to the left presents information regarding the total number of cases litigated in arbitration which were either resolved during the arbitration process or, ultimately went to trial. Program data indicates that either a settlement or dismissal was reached in 62% (127 of 206 cases were disposed) of the cases filed in the Whiteside County arbitration program for State Fiscal Year 2007. This disposition rate is slightly lower than the five year average of 65% and significantly less than the statewide average of 81%.

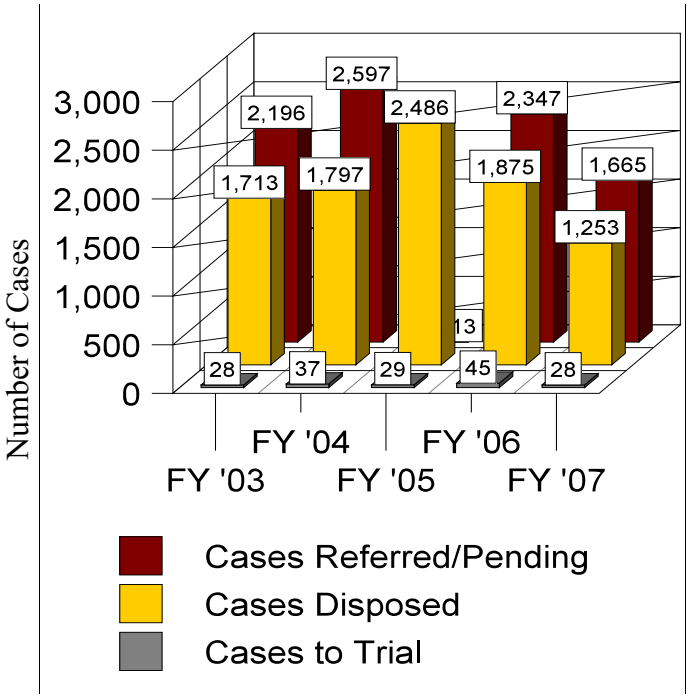
State Fiscal Year 2007
Whiteside County
At A Glance Arbitration Caseload Information

Number of Cases Pending / Referred to Arbitration	206
Number of Cases Settled /Dismissed	127
Number of Arbitration Hearings	14
Number of Awards Accepted	0
Number of Awards Rejected	6
Number of Cases Filed in Arbitration which Proceeded to Trial	1

The data for Whiteside County's 2007 arbitration operations is reflected in the chart to the left. In Whiteside County, only one case filed in arbitration proceeded to trial.



Kane County
Five - Year Disposition Trend



Sixteenth Judicial Circuit

(Kane County)

Arbitration Program Information

The Sixteenth Judicial Circuit consists of DeKalb, Kane and Kendall Counties. During Fiscal Year 1994, the Supreme Court approved the request of Kane County to begin operating a court-annexed mandatory arbitration program. Initial arbitration hearings were held in June 1995. The arbitration center is located in the courthouse in Kane County. A supervising judge is assigned to oversee arbitration matters and is assisted by an arbitration program assistant.

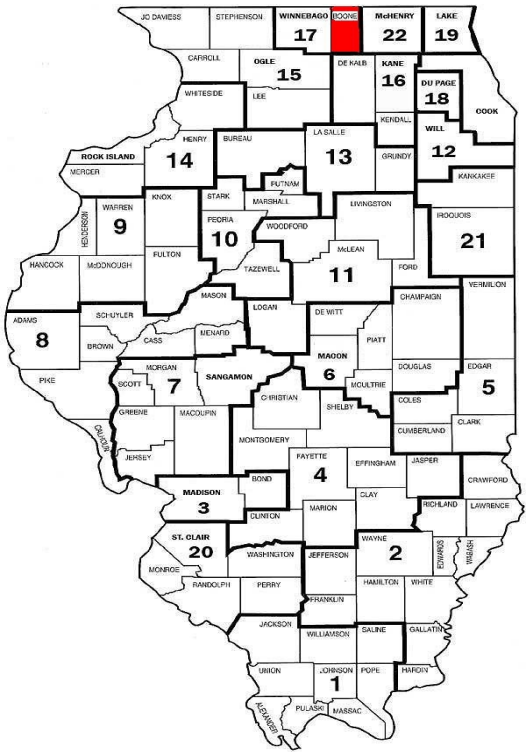
The chart to the left presents information regarding the total number of cases litigated in arbitration which were either resolved during the arbitration process or, ultimately went to trial. Program data indicates that either a settlement or dismissal was reached in 75% (1,253 of 1,665 cases were disposed) of the cases filed in the Kane County arbitration program for State Fiscal Year 2007. This disposition rate is less than the five year average of 78% and the statewide average of 81%.

State Fiscal Year 2007
Kane County
At A Glance Arbitration
Caseload Information

Number of Cases Pending / Referred to Arbitration	1,665
Number of Cases Settled / Dismissed	1,253
Number of Arbitration Hearings	180
Number of Awards Accepted	27
Number of Awards Rejected	112
Number of Cases Filed in which Proceeded to Trial	28

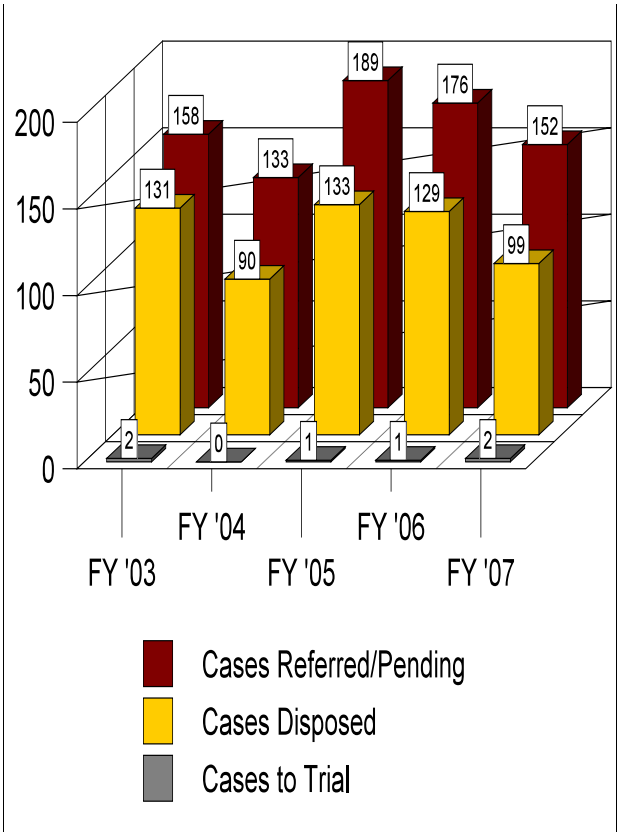
While cases referred to Kane County's arbitration program increased annually from 2003 through 2005, the same cannot be said for the past two years. The decrease in cases referred to arbitration may be directly attributable to Supreme Court Rule 281 which raised the small claims jurisdiction to $10,000 thereby reducing the number of cases eligible for mandatory arbitration. From 2003 through 2007, an annual average of 1,875 cases have been referred to arbitration.

The data for Kane County's 2007 arbitration operations is reflected in the chart to the left. In Kane County, less than 2% of the cases (28 of the 1,665) filed in arbitration proceeded to trial.



Boone County

Five-Year Disposition Trend



Seventeenth Judicial Circuit

(Boone and Winnebago Counties)

Arbitration Program Information

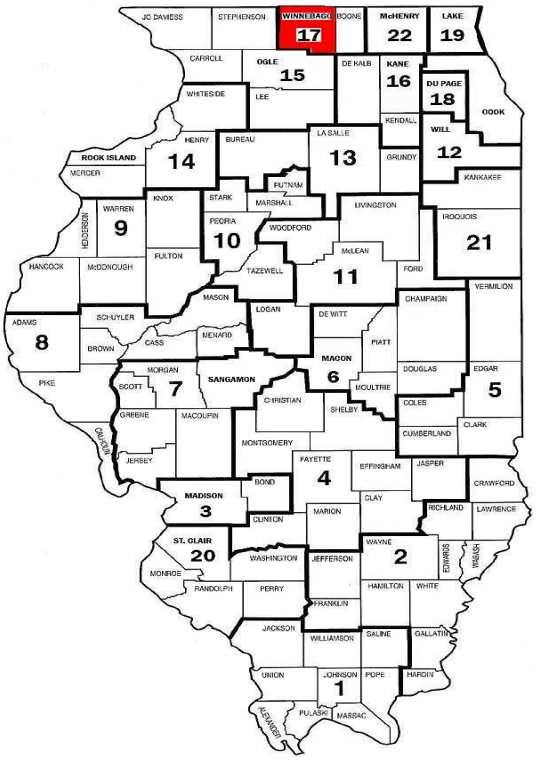
The Seventeenth Judicial Circuit consists of Winnebago and Boone Counties. The arbitration center is located near the courthouse in Rockford, Illinois. In the fall of 1987, court-annexed mandatory arbitration was instituted as a pilot program in Winnebago County, making it the oldest court-annexed arbitration system in the state. The Boone County program began hearing arbitration-eligible matters in February 1995. A supervising judge from each county is assigned to oversee the arbitration programs and is assisted by a trial court administrator and an assistant arbitration administrator.

The chart to the left presents information regarding the total number of cases litigated in arbitration which were either resolved during the arbitration process or, ultimately went to trial. Program data indicates that either a settlement or dismissal was reached in 65% (99 of 152 cases were disposed) of the cases filed in the Boone County arbitration program for State Fiscal Year 2007. This disposition rate is lower than the five year average of 74% and the statewide average of 81%.

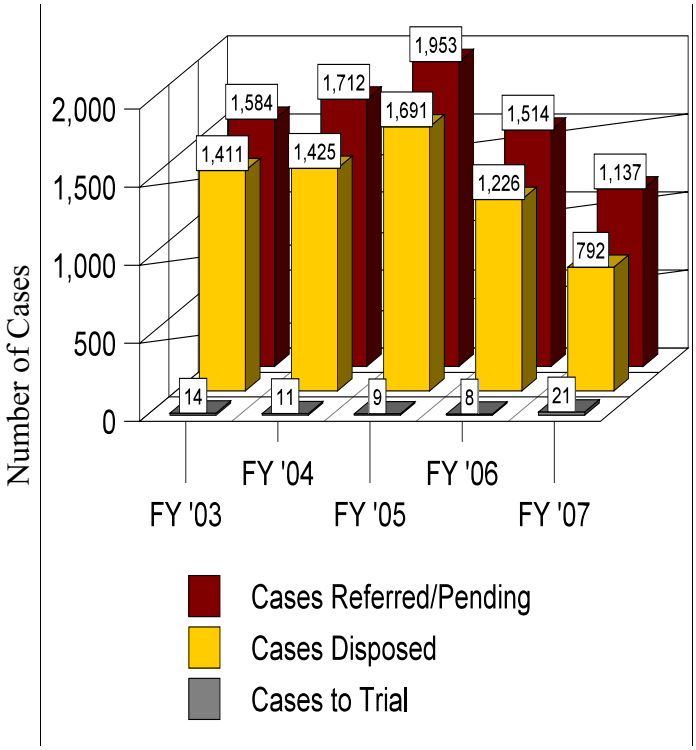
State Fiscal Year 2007
Boone County
At A Glance Arbitration Caseload Information

Number of Cases Pending / Referred to Arbitration	152
Number of Cases Settled / Dismissed	99
Number of Arbitration Hearings	12
Number of Awards Accepted	3
Number of Awards Rejected	7
Number of Cases Filed in Arbitration which Proceeded to Trial	2

The data for Boone County's 2007 arbitration operations is reflected in the chart to the left. In Boone County, only two cases filed in arbitration proceeded to trial.



Winnebago County
Five-Year Disposition Trend



Seventeenth Judicial Circuit

(Boone and Winnebago Counties)

Winnebago County

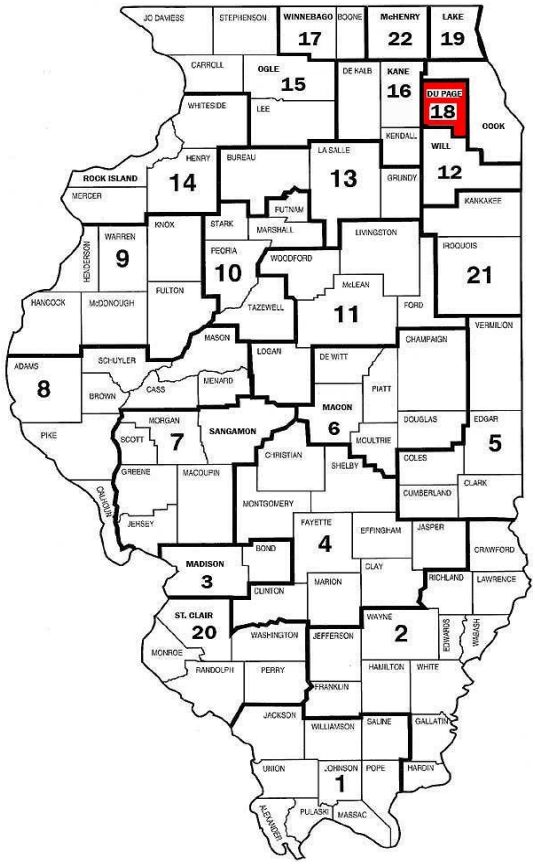
While cases referred to Winnebago County's arbitration program increased annually from 2003 through 2005, the same cannot be said for the past two years. The decrease in cases referred to arbitration may be directly attributable to Supreme Court Rule 281 which raised the small claims jurisdiction to $10,000 thereby reducing the number of cases eligible for mandatory arbitration. From 2003 through 2007, an annual average of 1,331 cases have been referred to arbitration.

The chart to the left presents information regarding the total number of cases litigated in arbitration which were either resolved during the arbitration process or, ultimately went to trial. Program data indicates that either a settlement or dismissal was reached in 70% (792 of 1,137 cases were disposed) of the cases filed in the Winnebago County arbitration program for State Fiscal Year 2007. This disposition rate is significantly lower than the five year average of 84% and the statewide average of 81%.

State Fiscal Year 2007
Winnebago County
At A Glance Arbitration Caseload Information

Number of Cases Pending / Referred to Arbitration	1,137
Number of Cases Settled / Dismissed	792
Number of Arbitration Hearings	113
Number of Awards Accepted	30
Number of Awards Rejected	64
Number of Cases Filed in Arbitration which Proceeded to Trial	21

The data for Winnebago County's 2007 arbitration operations is reflected in the chart to the left. In Winnebago County, less than 2% of cases (21 of the 1,137) filed in arbitration proceeded to trial.



Eighteenth Judicial Circuit

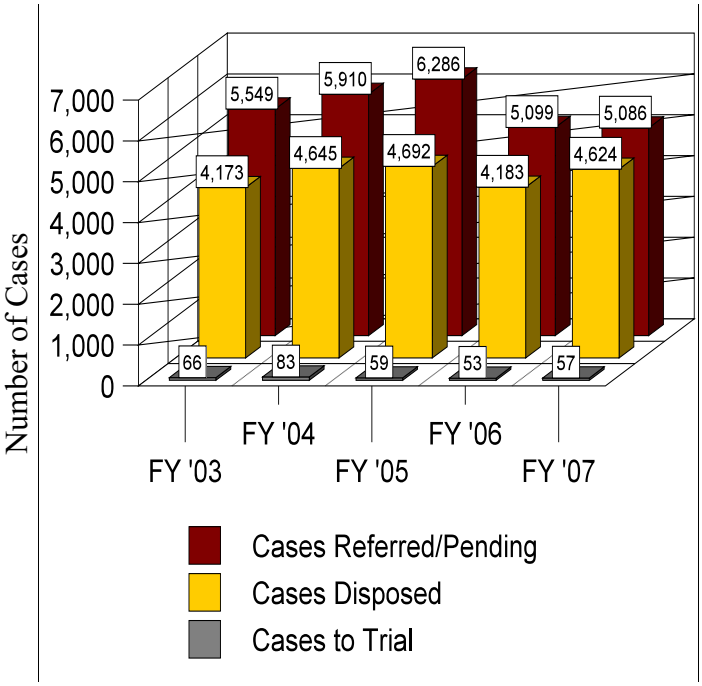
(DuPage County)

Arbitration Program Information

The Eighteenth Judicial Circuit is a suburban jurisdiction serving the residents of DuPage County. Court-annexed arbitration has become an important resource for assisting the judicial system in the adjudication of civil matters. The Supreme Court approved an arbitration program for the circuit in December 1988. During State Fiscal Year 2002, the Supreme Court authorized DuPage County's arbitration program to permanently operate at the $50,000 jurisdictional limit. A supervising judge oversees arbitration matters and is assisted by an arbitration program administrator and administrative assistant.

DuPage County

Five-Year Disposition Trend



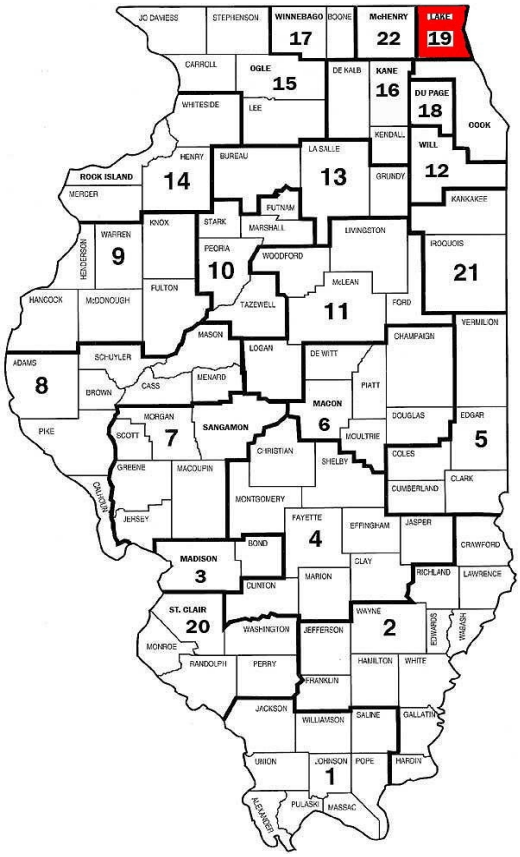
The chart to the left presents information regarding the total number of cases litigated in arbitration which were either resolved during the arbitration process or, ultimately went to trial. Program data indicates that either a settlement or dismissal was reached in 91% (4,624 of 5,086 cases were disposed) of the cases filed in the DuPage County arbitration program for State Fiscal Year 2007. This disposition rate is significantly higher than the five year average of 79% and the statewide average of 81%.

State Fiscal Year 2007
DuPage County
At A Glance Arbitration Caseload Information

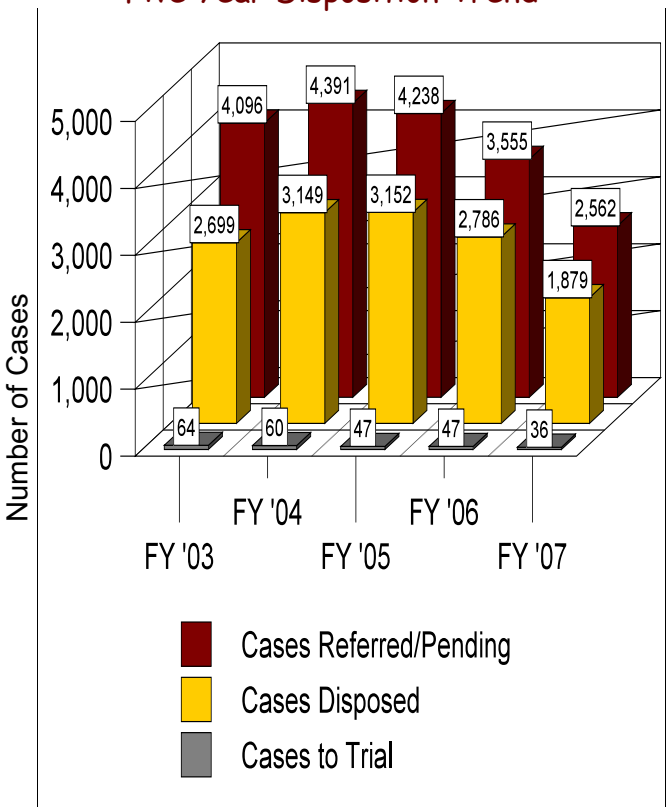
Number of Cases Pending / Referred to Arbitration	5,086
Number of Cases Settled /Dismissed	4,624
Number of Arbitration Hearings	631
Number of Awards Accepted	113
Number of Awards Rejected	361
Number of Cases Filed in Arbitration which Proceeded to Trial	57

While cases referred to Dupage County's arbitration program increased annually from 2003 through 2005, the same cannot be said for the past two years. The decrease in cases referred to arbitration may be directly attributable to Supreme Court Rule 281 which raised the small claims jurisdiction to $10,000 which indirectly removed some cases from mandatory arbitration. From 2003 through 2007, an annual average of 3,915 cases have been referred to arbitration.

The data for DuPage County's 2007 arbitration operations is reflected in the chart to the left. In DuPage County, slightly more than 1% of cases (57 of the 5,086) filed in arbitration proceeded to trial.



Lake County
Five Year Disposition Trend



Nineteenth Judicial Circuit

(Lake County)

Arbitration Program Information

In December 1988, Lake County was approved by the Supreme Court to begin operating an arbitration program. The supervising judge is assisted by an arbitration program administrator and an administrative assistant. Arbitration hearings are conducted in a facility across the street from the Lake County Courthouse in Waukegan.

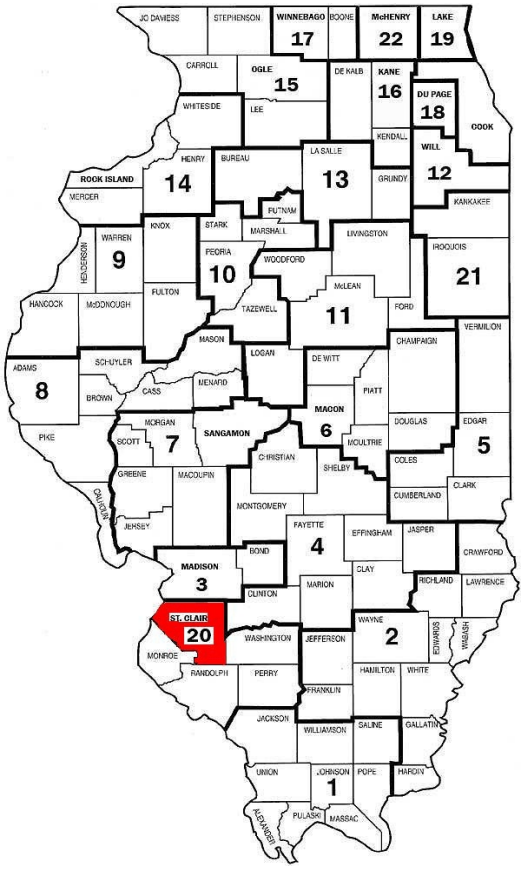
While cases referred to Lake County's arbitration program vary annually, an average of 2,749 cases per year were referred to arbitration over the past five state fiscal years.

The chart to the left presents information regarding the total number of cases litigated in arbitration which were either resolved during the arbitration process or, ultimately went to trial. Program data indicates that either a settlement or dismissal was reached in 73% (1,879 of 2,562 cases were disposed) of the cases filed in the Lake County arbitration program for State Fiscal Year 2007. This disposition rate is lower than the five year average of 76% and the statewide average of 81%.

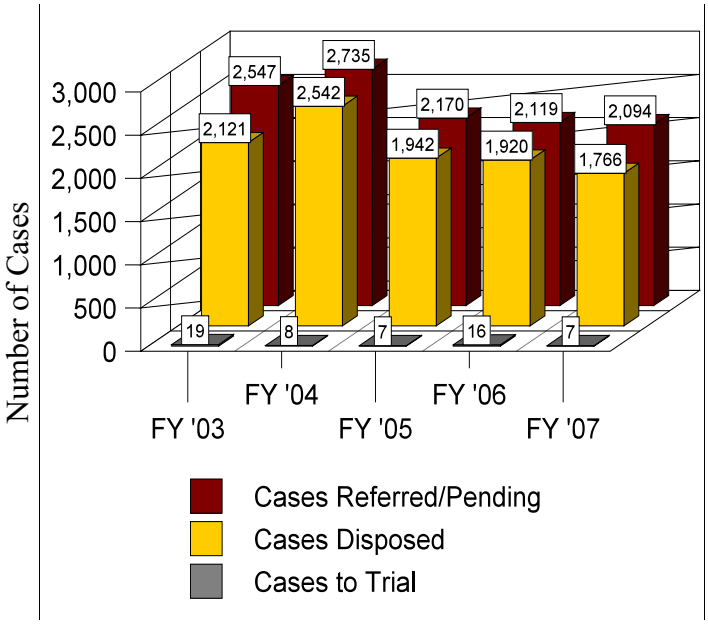
State Fiscal Year 2007
Lake County
At A Glance Arbitration Caseload Information

Number of Cases Pending / Referred to Arbitration	2,562
Number of Cases Settled / Dismissed	1,879
Number of Arbitration Hearings	396
Number of Awards Accepted	69
Number of Awards Rejected	221
Number of Cases Filed in Arbitration which Proceeded to Trial	36

The data for Lake County's 2007 arbitration operations is reflected in the chart to the left. In Lake County, slightly more than 1% of cases (36 of the 2,562) filed in arbitration proceeded to trial.



St. Clair County
Five-Year Disposition Trend



Twentieth Judicial Circuit

(St. Clair County)

Arbitration Program Information

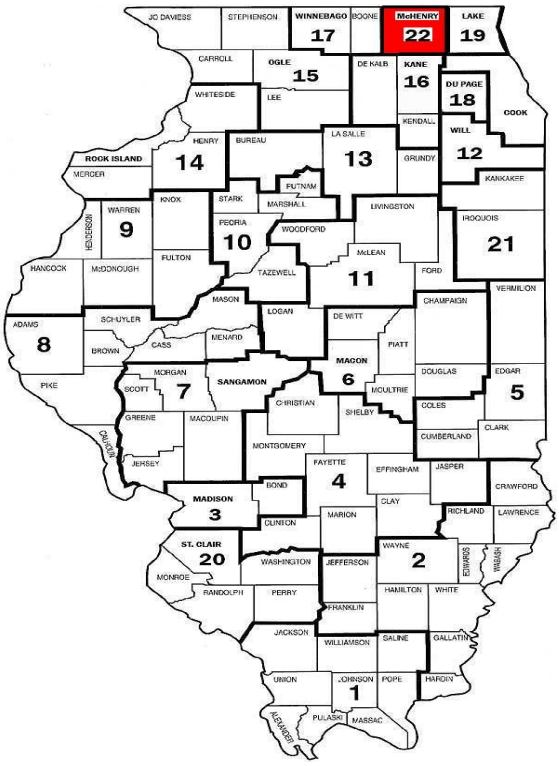
The Twentieth Judicial Circuit is comprised of five counties: St. Clair, Perry, Monroe, Randolph and Washington. The Supreme Court approved the request of St. Clair County to begin an arbitration program in May of 1993 and the first hearings were held in February 1994. The arbitration center is located across the street from the St. Clair County Courthouse. A supervising judge is assigned to oversee arbitration matters and is assisted by an arbitration program administrator and an administrative assistant.

The chart to the left presents information regarding the total number of cases litigated in arbitration which were either resolved during the arbitration process or, ultimately went to trial. Program data indicates that either a settlement or dismissal was reached in 84% (1,766 of 2,094 cases were disposed) of the cases filed in the St. Clair County arbitration program for State Fiscal Year 2007. This disposition rate is lower than the five year average of 89% and higher than the statewide average of 81%.

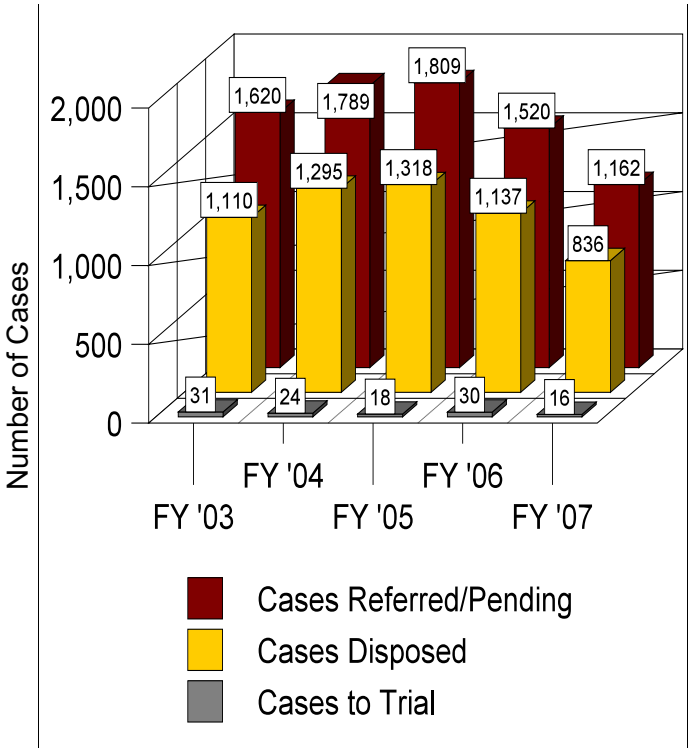
State Fiscal Year 2007
St. Clair County
At A Glance Arbitration Caseload Information

Number of Cases Pending/Referred to Arbitration	2,094
Number of Cases Settled / Dismissed	1,766
Number of Arbitration Hearings	136
Number of Awards Accepted	63
Number of Awards Rejected	49
Number of Cases Filed in Arbitration which Proceeded to Trial	7

The data for St. Clair County's 2007 arbitration operations is reflected in the chart to the left. In St. Clair County, less than 1% of cases (7 of the 2,094) filed in arbitration proceeded to trial.



McHenry County
Five Year Disposition Trend



Twenty-Second Judicial Circuit

McHenry County

Arbitration Program Information

On December 4, 2006, enacted legislation created the Twenty-Second Judicial Circuit (McHenry County), which is the newest judicial circuit in the state. In 1990, McHenry County was approved to operate an arbitration program as a component of the 19th Circuit's operations. The supervising judge in McHenry County is assisted by the arbitration program personnel from the Nineteenth Judicial Circuit. Arbitration hearings are conducted in the McHenry County Courthouse in Woodstock.

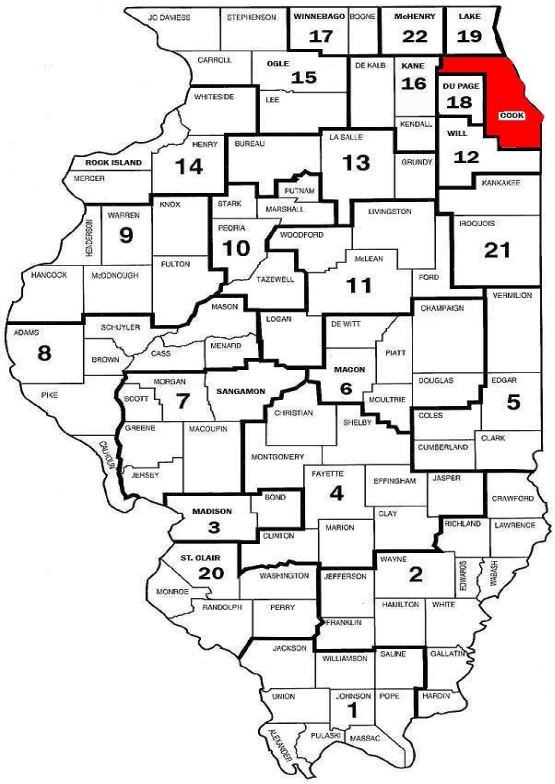
The chart to the left presents information regarding the total number of cases litigated in arbitration which were either resolved during the arbitration process or, ultimately went to trial. Program data indicates that either a settlement or dismissal was reached in 72% (836 of 1,162 cases were disposed) of the cases filed in the McHenry County arbitration program for State Fiscal Year 2007. This disposition rate is lower than the five year average of 75% and the statewide average of 81%.

State Fiscal Year 2007
McHenry County
At a Glance Arbitration Caseload Information

Number of Cases Pending / Referred to Arbitration	1,162
Number of Cases Settled / Dismissed	836
Number of Arbitration Hearings	139
Number of Awards Accepted	39
Number of Awards Rejected	74
Number of Cases Filed in Arbitration which Proceeded to Trial	16

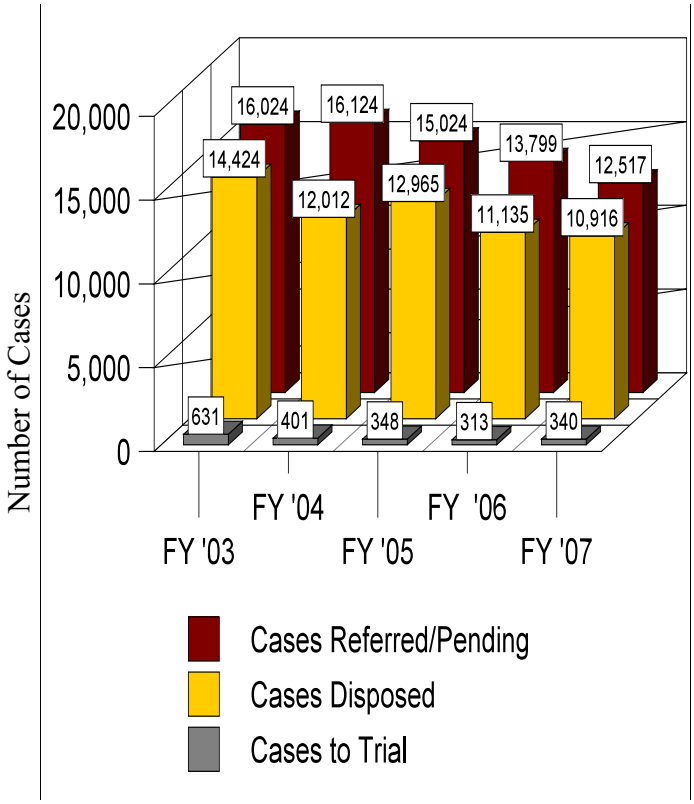
While cases referred to McHenry County's arbitration program increased annually from 2003 through 2005, the same cannot be said for the past two years. The decrease in cases referred to arbitration may be directly attributable to Supreme Court Rule 281 which raised small claims jurisdiction to $10,000 hereby reducing the number of cases eligible for mandatory arbitration. From 2003 through 2007, an annual average of 1,145 cases have been referred to arbitration.

The data for McHenry County's 2007 arbitration operations is reflected in the chart to the left. In McHenry County, slightly more than 1% of the cases (16 of the 1,162) filed in arbitration proceeded to trial.



Cook County

Five-Year Disposition Trend



Circuit Court of Cook County

Arbitration Program Information

As a general jurisdiction trial court, the Circuit Court of Cook County is the largest unified court in the nation. The Supreme Court granted approval to implement an arbitration program in Cook County in January 1990. The arbitration center is located in downtown Chicago. A supervising judge oversees arbitration program matters and is assisted by an arbitration program administrator and deputy administrator.

While cases referred to Cook County's arbitration program vary annually, an average of 13,361 cases per year were referred to arbitration over the past five state fiscal years.

The chart to the left presents information regarding the total number of cases litigated in arbitration which were either resolved during the arbitration process or, ultimately went to trial. Program data indicates that either a settlement or dismissal was reached in 87% (10,916 of 12,517 cases were disposed) of the cases filed in the Cook County arbitration program for State Fiscal Year 2007. This disposition rate is higher than the five year average of 83% and statewide average of 81%.

State Fiscal Year 2007
Cook County*
At A Glance Arbitration Caseload Information

Number of Cases Pending / Referred to Arbitration	12,517
Number of Cases Settled / Dismissed	10,916
Number of Arbitration Hearings	8,957
Number of Awards Accepted	2,102
Number of Awards Rejected	4,894
Number of Cases Filed in Arbitration which Proceeded to Trial	340

*Only jurisdiction with a limit of $30,000 for arbitration cases; others are $50,000.

The data for Cook County's 2007 arbitration operations is reflected in the chart to the left. In Cook County, less than 3% of the cases (340 of the 12,517) filed in arbitration proceeded to trial.

APPENDIX

APPENDIX 1
STATE FISCAL YEAR 2007

STATEWIDE PRE-HEARING CALENDAR DATA

ARBITRATION PROGRAM	CASES PENDING HEARING 07/01/06 AS REPORTED	CASES REFERRED TO ARBITRATION	TOTAL CASES ON CALENDAR	PRE-HEARING DISPOSITIONS	PERCENT OF CASES ON PRE-HEARING CALENDAR DISPOSED PRIOR TO ARBITRATION HEARING	ARBITRATION HEARING	PERCENTAGE REFERRED TO HEARING	CASES PENDING HEARING 06/30/07
Boone	43	106	149	90	60%	12	8%	47
Cook	1,085	11,432	12,517	3,603	28%	8,957	71%	N/A
DuPage	1,338	3,748	5,086	3,997	78%	631	12%	458
Ford	7	30	37	23	62%	4	10%	10
Henry	25	85	110	76	69%	5	4%	29
Kane	221	1,229	1,450	1,108	76%	180	12%	162
Lake	627	1,830	2,457	1,540	62%	396	16%	521
McHenry	310	807	1,117	717	64%	139	12%	261
McLean	210	768	978	643	65%	66	6%	269
Mercer	22	22	44	22	50%	3	6%	19
Rock Island	213	354	567	318	56%	74	13%	175
St. Clair	126	1,911	2,037	1,638	80%	136	6%	263
Whiteside	83	117	200	117	58%	14	7%	69
Will	693	1,457	2,150	1,192	55%	308	14%	650
Winnebago	236	857	1,093	675	63%	113	10%	286

APPENDIX 2
STATE FISCAL YEAR 2007

STATEWIDE POST-HEARING CALENDAR DATA

ARBITRATION PROGRAM	CASES PENDING ON POST-HEARING CALENDAR 07/01/06 AS REPORTED	CASES ADDED	JUDGMENT ON AWARD	POST-HEARING PRE-REJECTION DISPOSITION DISMISSED	AWARDS REJECTED	AWARDS REJECTED AS A PERCENTAGE OF HEARINGS	TOTAL CASES AS A PERCENTAGE OF ALL WHICH WERE REJECTED 07/01/06 THROUGH 06/30/07	CASES PENDING 06/30/07
Boone	0	14	3	2	7	58%	4%	2
Cook	Data Not Available	8,957	2,102	3,525	4,894	54%	39%	Data Not Available
DuPage	Data Not Available	631	113	153	361	57%	7%	Data Not Available
Ford	4	4	4	2	1	25%	2%	1
Henry	1	5	3	2	1	20%	0%	0
Kane	39	180	27	42	112	62%	7%	38
Lake	47	397	69	94	221	55%	8%	60
McHenry	9	144	39	27	74	53%	6%	13
McLean	5	68	32	8	18	27%	1%	15
Mercer	1	3	1	3	0	0%	0%	0
Rock Island	6	74	9	25	38	51%	6%	8
St. Clair	15	136	63	24	49	36%	2%	15
Whiteside	3	14	0	7	6	42%	3%	4
Will	31	314	62	100	141	45%	6%	42
Winnebago	13	117	30	29	64	56%	5%	7

APPENDIX 3
STATE FISCAL YEAR 2007

STATEWIDE POST-REJECTION CALENDAR DATA

ARBITRATION PROGRAM	CASES PENDING ON POST-REJECTION CALENDAR 07/01/06 AS REPORTED	CASES ADDED	PRE-TRIAL POST-REJECTION DISPOSITIONS DISMISSALS	TRIALS	PERCENT OF TOTAL CASES ON PRE-HEARING CALENDAR PROGRESSING TO TRIAL 07/01/06 THROUGH 06/30/07	CASES PENDING 06/30/07
Boone	3	8	4	2	1%	5
Cook	Data Not Available	4,894	1,686	340	2%	2,428
DuPage	Data Not Available	361	361	57	1%	Data Not Available
Ford	0	1	0	1	2%	0
Henry	0	1	0	1	less than 1%	0
Kane	176	112	76	28	1%	184
Lake	58	226	173	36	1%	75
McHenry	36	76	53	16	1%	43
McLean	25	19	11	11	1%	22
Mercer	0	0	0	0	0%	0
Rock Island	44	40	42	17	2%	25
St. Clair	42	49	41	7	less than 1%	43
Whiteside	3	6	3	1	less than 1%	5
Will	61	142	104	32	1%	67
Winnebago	31	65	58	21	1%	17

APPENDIX 4

Percentage of Arbitration Eligible Cases in Total Civil Case Filings by County

Mandatory Arbitration Program	Civil Cases Filed in State Fiscal Year 2007	Arbitration Eligible Cases in State Fiscal Year 2007	Percentage of Arbitration Eligible Cases in Total Civil Case Filings
Boone County	2,004	106	5%
Cook County	385,839	11,432	2%
DuPage County	29,374*	3,748	12%
Ford County	446	30	6%
Henry County	2,144	85	3%
Kane County	17,512*	1,229	7%
Lake County	25,595	1,830	7%
McHenry County	10,715	807	7%
McLean County	7,602	768	10%
Mercer County	434	22	5%
Rock Island County	8,993	354	3%
St. Clair County	18,080	1,911	10%
Whiteside County	2,997	117	3%
Will County	28,243	1,457	5%
Winnebago County	18,027	857	4%

* Based on data collected from July through December 2006, an estimated annual projection of the total number of civil cases filed in DuPage and Kane County for State Fiscal Year 2007 was compiled.

The table above demonstrates the percentage of arbitration eligible cases in the total civil case filings for each county with a mandatory arbitration program. Statewide statistics indicate that a total of 24,753 cases were arbitration eligible out of the 558,005 civil cases filed in counties with a mandatory arbitration program in State Fiscal Year 2007. A statewide average of 4% of the total civil cases filed in court-annexed mandatory arbitration counties were eligible for arbitration proceedings.

APPENDIX 5

Supreme Court Rule 87. Appointment, Qualification and Compensation of Arbitrators

(a) List of Arbitrators. A list of arbitrators shall be prepared in the manner prescribed by a circuit rule. The list shall consist of a sufficient number of members of the bar engaged in the practice of law and retired judges within the circuit in which the court is situated.

(b) Panel. The panel of arbitrators shall consist of three members of the bar, or such lesser number as may be agreed upon by the parties, appointed from the list of available arbitrators, as prescribed by circuit rule, and shall be chaired by a member of the bar who has engaged in trial practice for at least three years or by a retired judge. Not more than one member or associate of a firm or office association of attorneys shall be appointed to the same panel.

(c) Disqualification. Upon appointment to a case, an arbitrator shall notify the court and withdraw from the case if any grounds appear to exist for disqualification pursuant to the Code of Judicial Conduct.

(d) Oath of Office**.** Each arbitrator shall take an oath of office in each county or circuit in which the arbitrator intends to serve on an arbitration panel. The oath shall be in conformity with the form provided in Rule 94 herein and shall be executed by the arbitrator when such arbitrator's name is placed on the list of arbitrators. Arbitrators previously listed as arbitrators shall be relisted on taking the oath provided in Rule 94.

(e) Compensation. Each arbitrator shall be compensated in the amount of ~~$75~~ $100 per hearing.

Adopted May 20, 1987, effective June 1, 1987; amended December 3, 1997, effective January 1, 1998; amended March 1, 2001, effective immediately; amended January 25, 2007, corrected January 26, 2007, effective ~~immediately~~ February 1, 2007.