

**Remarks by Chief Justice Lloyd A. Karmeier  
Supreme Court of Illinois**

**Senate Appropriations II Committee  
9:00 A.M. April 6, 2017**

For those of you who I have not yet had the pleasure to meet personally, my name is Lloyd Karmeier and I was recently given the honor of serving as the 120th Chief Justice of the Supreme Court of Illinois. This morning I look forward, for my first time as Chief Justice, to engage with all of you in the important appropriation process for our Third Branch of Government.

With me today is Mike Tardy, Director of the Administrative Office of Illinois Courts, and Kathleen O'Hara, Assistant Director of Administrative Services and our fiscal officer. These are the people behind the scenes who really do the work and guide the Court in carrying out its administrative responsibilities over the entire Illinois court system.

A key role of any Chief Justice is guiding the direction of the judicial branch over the next 3 years. That means overseeing programs available throughout the 24 circuit courts, the 5 Districts of the Appellate Court, as well as various Supreme Court initiatives all of which are supported by over 980 judicial officers and 600 staff who tirelessly share my vision of making the Third Branch of state government more efficient, more effective, and more readily accessible to all who need our services.

In addressing the Court's Fiscal Year 2018 appropriation request, I want to first talk about the importance of probation and pretrial services here in Illinois, not only to

the people who are served by those services, but also to our citizens in general and how these services affect and enhance our fiscal responsibility.

As Chief Justice, I will continue the Court's support of the critical role probation plays in ensuring public safety through their expansive network of professional and highly trained probation officers.

It costs the taxpayers of the State of Illinois approximately \$24,000 a year to house an individual within the walls of the Department of Corrections. Compare that to an annual cost of only \$1,100 for an individual to be supervised in the community by probation officers. This type of supervision allows individuals to maintain personal relationships and employment within their community. Probation also enables individuals to receive critical support services such as drug, alcohol and mental health counseling as needed. What that means is that if our budget needs are not met, cuts to probation are almost inevitable; and any cost savings by cuts to probation will be far outweighed by additional costs of incarcerating individuals who might be better served by being on probation in their communities – maintaining the nuclear family, keeping jobs and contributing, rather than languishing in jail.

The cost differential is even greater for juvenile offenders. The cost to supervise a juvenile in the community, where he/she has a greater chance at rehabilitation, is only \$1,900 per year as compared to the annual cost of \$85,000 within the Department of Juvenile Justice. Given the State's fiscal struggles, probation offers judges a cost-effective alternative for many individuals.

The probation system also provides critical information to judges through the state's pretrial services programs. The goal of pretrial services is to reduce the pretrial incarceration rate while ensuring that defendants comply with approved pretrial release. This

process includes the application of a validated pretrial risk assessment tool which aids judges in making research-based decisions about whether defendants should be detained or released prior to their criminal trials.

The Court continues its unwavering support of these critical services and has requested full statutory funding for probation services, as well as funding to expand pretrial services personnel within all 24 circuit courts in Illinois.

As many of you are aware, there is a growing movement in our federal and state criminal justice systems to review this nation's historic reliance on a defendant's fiscal resources, rather than the risk of future criminal conduct, or failure to return for court proceedings, in establishing pretrial custody or release. I am pleased to report that the Illinois courts are in the national forefront of applying validated and objective risk instruments at the time of a bond hearing to aid our judges in making such critical decisions. We have begun this long journey – much work remains.

The Court is also committed to allocating resources to address the needs of some of the most vulnerable individuals who find themselves within the court system.

More specifically, the Court recently approved a certification process for the establishment of specialty or problem-solving courts that provide a more therapeutic approach to adjudication. Problem-solving courts utilize a collaborative approach among justice professionals partnering with community treatment providers to address an individual's underlying behavioral health and ensuing criminal issues. There are about 100 problem-solving courts already providing these unique services, and the Court just approved certification of 3 new problem-solving courts – the Kendall County Drug Court, the Peoria DUI Court and the Tazewell County Mental Health Court.

The last initiative that I'm very proud to discuss today is the Court's mandate to enhance and expand digital technology within the judicial branch. Although the concept of e-filing was first initiated a number of years ago, many of the state's smaller jurisdictions continued to use paper filings to manage their cases. In January of 2016, however, the Supreme Court issued a directive requiring that e-filing of civil cases be implemented in the Supreme Court and all 5 districts of the Appellate Court by July 1, 2017. All Illinois courts must transition to e-filing of civil cases by January 1, 2018.

Requiring e-filing in Illinois will modernize and simplify the process of filing documents for everyone involved, including attorneys, self-represented litigants, clerk's offices, courts, and taxpayers by allowing the filing of court documents electronically at any hour and from any location.

To help pay for statewide e-filing, you, the General Assembly passed Public Act 99-859, this past year. The new law, for which we thank you, created a \$9 e-business fee to be collected by parties filing civil cases. The Court started collecting the fee in September, 2016 and these resources will be used to pay annual software costs to maintain a standardized, centralized e-filing system for all court users.

In order to keep pace with the collected receipts and the projected cost of e-filing, the Fiscal Year 2018 Appropriation Request seeks additional expenditure authority in the Supreme Court's Special Purposes Fund to support this critical initiative.

While these are just a few of the significant programs provided by the judicial branch, it's important to recognize all the duties and responsibilities performed by the capable and dedicated staff of the judicial branch.

Whether it is the timely adjudication of cases performed by judges throughout the state or the efforts of support personnel who make certain that critical services are performed, offices are run efficiently and reporting requirements are met, it is the behind-the-scenes work of judicial branch personnel that make the Third Branch of state government thrive.

Still, we continue to struggle when appropriation levels do not meet our statutory obligations.

As the Chief Justice, it is my responsibility to submit the annual appropriation request at a level that will support our constitutional and statutory mandates.

Typically, the total budget for the Third Branch of government is less than 1% of the total state budget – I repeat, less than 1% for the entire Third Branch of government, the judicial branch. We are not just another state agency.

Although we are one of the three branches of the State Government; we have no power of the purse; we have no police force to enforce our orders and opinions or requests; so we rely on you to fund our branch appropriately.

And I must stress that the limited resources we seek are crucial to maintain the duties and responsibilities expected of judges, probation officers, administrators, and staff of the judicial branch.

I appear before you today with a commitment of cooperation and sound fiscal stewardship from my colleagues and those who work within the judicial branch. It is with this spirit of cooperation and collegiality that we will weather this fiscal storm. Thank you, again, for the opportunity to appear before you.

My staff and I look forward to working with you and your staffs and are happy to answer any questions you have.