

**Alternative Dispute Resolution
Coordinating Committee**
Judge William D. Maddux
Circuit Court of Cook County
Chair

During the 2002 Conference year, the Committee monitored both Court-Annexed Mandatory Arbitration Programs and Court-Sponsored Major Civil Case Mediation Programs. In addition, the Committee met with arbitration administrators and supervising judges of circuits with mandatory arbitration programs. Topics discussed at the meeting included Supreme Court Rule amendment proposals, developing a system for feedback to address the disparity between rejected arbitration awards and resultant jury verdicts, good faith participation in arbitration hearings, and several programmatic issues raised by the arbitration administrators and supervising judges. Also in this Conference year, the Committee forwarded to the Administrative Office of the Illinois Courts an amendment to Supreme Court Rule 86(b) that would increase arbitration jurisdictional limits to \$50,000 or such lesser jurisdictional limits as may be implemented by local circuit option. The Supreme Court reserved unto itself the opportunity to review requests for increases to the limit on a case-by-case basis. Subsequently, the Committee notified judicial circuits operating a mandatory arbitration program that, at the discretion of the chief circuit judge of the respective circuit, they may submit to the Court a petition to increase jurisdictional program limits. The Committee also forwarded to the Administrative Office of the Illinois Courts amendment to Supreme Court Rule 90(c) along with a proposed form that would require the plaintiff to file summary cover sheets detailing money damages incurred by category as set forth in Supreme Court Rule 90(c) (1) - (4) with language added to specify if bills had been paid or unpaid. The Director of the Administrative Office of the Illinois Courts notified the Committee that she forwarded the proposal to the Supreme Court Rules Committee for placement on the Committee's Public Hearing Agenda. In the area of mediation, the Committee will continue to monitor existing Court-sponsored mediation programs. During Conference Year 2001, the Committee studied the authority to provide immunity for a mediator in mediation proceedings and forwarded to the Administrative Office of the Illinois Courts proposed language to amend Supreme Court Rule 99. On October 10, 2001, the Supreme Court accepted the recommendations and amended Rule 99.

**Study Committee
on Juvenile Justice**
Judge John R. DeLaMar
6th Circuit
Chair

During the 2002 Conference year, the major work of the Committee was the completion of the two-volume set of the *Illinois Juvenile Law Benchbook*. During the year, the Committee published Volume II of the *Illinois Juvenile Law Benchbook* which completed the two-volume set. The two-volume set is designed to provide judges with a practical and convenient guide to procedural, evidentiary, and substantive issues arising in Juvenile Court proceedings. Volume I covers juvenile court proceedings involving allegations of delinquency, minors requiring authoritative intervention (MRAI) and addicted minors. Volume II addresses exclusively proceedings brought in the juvenile court which involve allegations of abuse, neglect and dependency. The Committee continued its work on drafting uniform juvenile court orders of cases for use by judges involved in abuse, neglect or dependency proceedings in the Juvenile Court, offering a set of explanations to facilitate the use of uniform orders. The Committee continued to discuss at great length the anticipated 2003 federal review of the Illinois Juvenile Court which will study compliance with federal funding mandates concerning necessary findings in juvenile cases. Additionally, the Committee continued its commitment to educating Illinois judges on juvenile law issues by participating in various educational programs and workshops.

**Committee on Discovery
Procedures**
Judge Joseph N. Casciato
Circuit Court of Cook County
Chair

During the 2002 Conference year, the Committee devoted substantial time to discussing the problems and possible solutions surrounding the disclosure requirements contained in Supreme Court Rule 213. The Committee submitted to the Supreme Court for consideration its proposal to amend Rule 213. The Committee studied various other discovery-related proposals. The Committee decided not to adopt its own proposal to amend Rule 206(c), which concerns the method of taking depositions on oral examination. The Committee recommended that Rule 201(l), which concerns conducting discovery while a personal jurisdiction motion is pending, not be amended as proposed by the Rules Committee. Rather, the Committee adopted its own proposal to amend Rule 201(l) and forwarded it to the Rules Committee for review. The Committee also rejected the Rules Committee's proposal to amend Rule 218(c), which concerns pretrial procedure. Finally, the Committee forwarded questions to the Rules Committee regarding the Rules Committee's proposal to amend Rule 237, which concerns the appearance of certain individuals and the production of certain documents at expedited hearings.

Judicial Conference of Illinois, consisting of eighty-two judges, is responsible for suggesting improvements in the administration of justice in Illinois. The Executive Committee, composed of the chief justice and fourteen members of the Judicial Conference, reviews recommendations of the various committees and makes recommendations to the supreme court, resolves questions of committee jurisdiction, acts on behalf of the Judicial Conference between annual meetings, and performs other duties delegated by the supreme court. The Administrative Office of the Illinois Courts serves as Secretary of the Conference.

COMMITTEE ACTIVITIES

The Judicial Education Division seeks to ensure that Illinois judges have access to ongoing judicial education resources through its administrative oversight of continuing education programs for new and experienced judges. To do so, the division staffs the Committee on Education of the Illinois Judicial Conference which, with Supreme Court approval, selects judicial faculty and topics for regional and mini (one-day) seminars for judges. In 2002, 8 such seminars were held across the state. Similarly, the division provides administrative and staffing support for a week-long New Judge Seminar held each year in Chicago as well as the annual faculty development workshop which enables judges to hone their teaching skills. In addition, the division assisted in planning and conducting the two presentations of Education Conference 2002, which was attended by all Illinois Judges, in February and March. Education Conference 2002 consisted of 21 different topics presented by 59 faculty and guest speakers. Judges attended a plenary session on ethics and were offered two additional, concurrent ethics sessions, three half-day sessions as well as topic tracks in evidence, criminal law, civil law, family law, general interest and an early bird session.

In addition to its oversight of judicial education conferences, the division staffs the Judicial Mentor Committee which is responsible for administering the New Judge Mentoring Program. Staff assisted in producing a new training video and updated the Mentor Manual for prospective mentor judges. Lastly, the division operates the Resource Lending Library which offers judges - through both loans and through contributions to their personal judicial libraries - a variety of resources on legal and judicial topics. These resources include videotapes, audiotapes, CD-Roms, bench books from past seminars, and other publications of interest to Illinois judges.

Computer security continued to be a focus of the Committee during the 2002 Conference year. The Committee prepared a computer security brief that was distributed at the Education Conference 2002 held in February and March of 2002. The subcommittee on Computer Security expanded its work to develop a model policy or list of components to be included in a policy on computer security guidelines and computer usage for judges to include Internet access and e-mail. The subcommittee on New Technologies reviewed new and changing technologies and how they could benefit the courts. Some of the technologies reviewed and discussed were: legal research, electronic filing, laptops and personal digital assistants devices usage, a concept for a cyber jury café, wireless technology concepts, e-learning and e-book usages, and data warehousing.

During this Conference year, the Committee produced supplements and updates to the *Illinois Manual for Complex Litigation (Civil and Criminal)*. For the Civil Manual, the Committee added new sections on discovery of business records, joint and several liability, and class actions. The Committee also created a comprehensive update for the Civil Manual, cumulating the previous update materials and addressing recent case law changes. For the Criminal Manual, the Committee added sections regarding consecutive and concurrent sentencing and sentencing hearings. The Committee also produced an update for the Criminal Manual, cumulating the previous update and discussing recent case law developments.

In the 2002 Conference year, the Committee began a comprehensive review of probation practices and procedures and continued its study of Youthful Offender Sentencing programs. The Committee also continued to monitor the work of the Governor's Criminal Code Rewrite and Reform Commission. The Committee prepared a proposed Rule amendment addressing juror secrecy, and is also proposing a new Rule to specify the admonishments that must be given when a defendant admits or stipulates to evidence sufficient to find a violation of probation, conditional discharge or court supervision. The committee also forwarded a proposal to the Supreme Court's IPI Criminal Committee regarding a cautionary jury instruction on eyewitness testimony. The Committee studied post-*Apprendi* trial issues, the use of John Doe warrants, and proposed amendments to the statute on consecutive and concurrent sentencing. In addition, the Court reaffirmed its support for legislation that would promote retention of experienced prosecutors and public defenders in accordance with the recommendations of the Task Force on Professional Practice in the Illinois Justice System.

Committee on Education
Judge Susan F. Hutchinson
Appellate Court, 2nd District
Chair

Committee on Automation and Technology
Judge Grant S. Wegner
16th Circuit
Chair

Study Committee on Complex Litigation
Judge Clyde L. Kuehn
Appellate Court, 5th District
Chair

Committee on Criminal Law and Probation Administration
Judge Michael P. Toomin
Circuit Court of Cook County
Chair

Members of the Executive Committee of the Illinois Judicial Conference During 2002

Chief Justice Mary Ann G. McMorrow, Chair
 Cynthia Y. Cobbs, Secretary

Robert P. Bastone, Associate Judge, Circuit Court of Cook County
 Joseph F. Beatty, Circuit Judge, 14th Circuit
 Robert L. Carter, Chief Circuit Judge, 13th Circuit
 Lloyd A. Cueto, Circuit Judge, 20th Circuit
 Timothy C. Evans, Chief Circuit Judge, Circuit Court of Cook County
 Robert K. Kilander, Chief Circuit Judge, 18th Circuit
 Clyde L. Kuehn, Appellate Judge, 5th District

Rita M. Novak, Associate Judge, Circuit Court of Cook County
 Stuart A. Nudelman, Circuit Judge, Circuit Court of Cook County
 M. Carol Pope, Circuit Judge, 8th Circuit
 Ellis E. Reid, Circuit Judge, Assigned Appellate, 1st District
 Stephen A. Schiller, Circuit Judge, Circuit Court of Cook County
 John P. Shonkwiler, Chief Circuit Judge, 6th Circuit
 Robert B. Spence, Circuit Judge, 16th Circuit