

**ADMINISTRATIVE OFFICE**  
**OF THE**  
**ILLINOIS COURTS**



1966  
ANNUAL REPORT  
to the  
SUPREME COURT  
OF ILLINOIS







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## TABLE OF CONTENTS

	Page
Letter of Transmittal by John W. Freels .....	3
Report of John W. Freels .....	5
Constitutionality of the Article Upheld .....	5
Final Implementation of the Provisions of the Article .....	6
1966 Changes Resulting from 1965 Legislation .....	7
a. Appointed Magistrates .....	7
b. Court Reporters .....	8
c. New Juvenile Act .....	9
The Judiciary—Retirements and Changes .....	10
Courts Commission .....	11
The Judicial Conference and Schools .....	12
The Conference of Chief Judges .....	14
New Supreme Court Rules .....	15
Circuit Court Recordkeeping .....	15
The Amazing Financial Results from the New System .....	16
Case Loads and Statistical Records—1966 .....	19
The Supreme Court of Illinois .....	21
Cases Decided with Full Opinions .....	22
Petitions for Rehearing .....	23
Petitions for Leave to Appeal .....	24
Motions Disposed Of .....	25
The Appellate Court of Illinois .....	26
The Trend of Cases .....	27
Cases Disposed Of .....	28
Time Lapse between Date of Filing and Date of Disposition .....	29
Time Lapse between Date Briefs Were Filed and Disposition of Cases .....	30
The Circuit Courts of Illinois .....	31
The Trend of Law Jury and all Civil Cases, the Number of Law Jury Verdicts, and the Average Delay in Reaching Verdict .....	48
Disposition of Defendants in Felony Cases .....	49
Ratio of Case-Load per Judge or Magistrate .....	50
Report of Carl H. Rolewick .....	51
Statistical Report of the Circuit Court of Cook County .....	53
Part I—Trend of all Cases in 1964, Listing of the Filings and Terminations by Type of Case for each Month during the Year, and Analysis of Extent of Delay and Work Product of the Various Divisions and Departments .....	53
Part II—Statement of total Law Jury Cases terminated as Reported by the Clerk of the Circuit Court of Cook County, County Department, Law Division .....	62
Part III—Summary and Analysis of the Law Jury Product of the Law Jury Trial Judges of the Circuit Court of Cook County, County Department—As Reported through the Monthly Report of Law Jury Trial Judges .....	63
Appendix	
Report on Cost vs. Increase Revenue Under the New Judicial Article by The Honorable Roy J. Solisburg, Jr. ....	65



SUPREME COURT  
STATE OF ILLINOIS

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June 15, 1967

To the Honorable, the Chief Justice and Justices of the Supreme Court of Illinois:

I tender herewith my annual report on the administration of the courts of the state for the calendar year 1966, the report of Carl H. Rolewick on Cook County, and the statistical reports for all courts of the state.

As had been the practice in earlier years, my reports for the years 1964 and 1965 listed the state's judicial personnel, submitted case load and other statistical data for each circuit and county and reported current developments affecting the courts. Since those two reports covered the first years under the new Article, the progress and developments were also discussed.

The report this year will follow the same pattern. Several matters of special significance developed during the year. These are discussed in sections designated:

Constitutionality of Article Upheld

Final Implementation of Article

Changes Resulting from 1965 Legislation

The Court's Commission and its Activities

The New Rules

The Amazing Financial Results Under the New System

At this, the conclusion of the first three years under the Article, the system is operating smoothly. The 75th General Assembly which convened January 2, 1967, will be requested to correct the deficiencies which have developed and to adopt certain improvements.

It has been a privilege and a distinct honor to work with and for the courts. I have thoroughly enjoyed working with you and the other members of the Judiciary and am deeply appreciative both of the honor you have given me and the opportunity to be of service.

Respectfully submitted,

JWF:mp

John W. Freels







*To the Honorable Chief Justice and Justices of  
the Supreme Court of Illinois:*

The annual reports of this office as inaugurated by Court Administrators Chandler and Harno and Director Fitzgerald, discussed the necessity of court reorganization in Illinois, recited what the courts were then doing, and gave statistical data covering all courts.

This is the third report I have submitted. Each has followed the earlier pattern of reporting on the current activities of the courts, listing the state's judicial personnel, and submitting statistical information on all courts. Because of the intense interest, both local and national, in the operation of the Illinois courts under the new Judicial Article, effective January 1, 1964, it was my feeling that it would be helpful for the subsequent reports to present also an historical picture of the progress and developments under the new Article. For that reason, the 1964 report analyzed the new Article, what it provided, what had been accomplished, the unplanned benefits, and what the future would hold. The 1965 report analyzed the effect on the courts system of the great amount of significant legislation which had been adopted that year.

Following the pattern of the previous two years, this report for the year 1966 will cover the activities of the courts and the statistical data on all courts during the year, and will in addition record the following significant developments:

- Constitutionality of the Article upheld
- Final implementation of the provisions of the Article
- 1966 changes resulting from 1965 legislation
- The Judiciary—Retirements and Changes
- The Courts Commission and its activities
- The Judicial Conference and Schools
- The Conference of Chief Judges
- The New Rules
- Records
- The amazing financial results from the new system.

**Constitutionality of the Judicial Article Upheld.**

The Judicial Article set out with clarity and exactness the basic framework which became effective January 1, 1964. This included the simplified, streamlined court organization, the administrative authority both statewide by the Supreme Court, and over the circuit by the chief judge, the Courts Commission, qualification and retention of judges, rule-mak-

ing powers, and others. Matters not so fundamental or necessarily permanent were set out in detail but with power given to the General Assembly to modify if conditions changed.

It was recognized that certain features could not become effective immediately and necessary transitional provisions were set out in the Schedule attached to the Article. Because so many courts and offices were abolished, the transitional provisions covered new titles and assignments for elected judges and power to use elected justices of the peace and police magistrates and appointed masters in chancery during the balance of their respective terms.

The most significant provisions of the Schedule gave the Supreme Court power to appoint resident justices to the Appellate Court until after the election of November 1964, and provided that each justice of the Supreme Court could stand for retention in his old district. The new geographical revision permitted retention of two justices in each of the new Third and Fifth Districts. The Schedule then provided that as and when a justice in either the new Third or the Fifth District should die, retire, or fail of retention, the resulting vacancies should be filled by election of residents of the First District, so that the First District would ultimately have three of the seven justices.

The last provision—granting to the Justices of the Supreme Court the same right to seek retention which was granted to all other elected judges of the state—was made the subject of a suit which questioned the constitutionality of the whole Judicial Article. This suit was filed December 1, 1965 in the United States Court for the Northern District of Illinois by Philip Romiti against the Governor, the Secretary of State, the Attorney General, the State Treasurer, and the State Auditor as members of the State Electoral Board. The suit asked the Court to enjoin the Electoral Board from certifying any of the then justices of the Supreme Court for retention on the theory that the "one man—one vote" doctrine was violated. The suit alleged that on January 1, 1964 the First District (Cook County) had 52% of the population of the state and that it had no resident justice since Justice Schaefer, though originally elected without opposition in the old Seventh District (which then included Cook County) had then been and was in 1964 a resident of Lake County. The suit alleged that each of the six other former districts from which the rest of the justices had been elected had contained at the time of their election only six to nine percent of the state's population. It also charged that since the counties constituting the six old downstate districts had been re-grouped to form only four districts, the downstate justices would be standing for retention in some counties from which they had never been elected. It was not expressly contended that the ultimate election by the First District of three of the seven members of



the Court would not substantially comply with the "one man—one vote" doctrine, but it was alleged that postponement of that ratio was unconstitutional.

The suit was assigned to the calendar of the Honorable Bernard M. Decker who convened a three-judge court, the other members being the Honorable John S. Hastings, Chief Judge of the U.S. Court of Appeals for the Seventh Circuit, and the Honorable William J. Campbell, Chief Judge of the U.S. District Court for the Northern District of Illinois.

State Treasurer Scott, through his attorney, Mr. Don Reuben, filed a motion to strike the complaint. The Governor, the Attorney General, and the State Auditor, through the Attorney General, filed a similar motion to strike the complaint. The Secretary of State, through private attorneys, supported the plaintiff's position. The Board of Governors of the Illinois State Bar Association and the Board of Managers of the Chicago Bar Association, each voted unanimously to intervene as *amicus curiae* and support the constitutionality of the Article. Each association appointed committees of counsel who were permitted to intervene. Each committee then filed a similar motion to strike the complaint.

Two other litigants filed a separate suit in the Northern District of Illinois raising the same constitutional objections, but on slightly different grounds. They asked to intervene in the original suit but that permission was denied and hearing on their suit was postponed until after the principal suit had been concluded. All parties in the original action took similar positions in the new litigation. The Governor, the Attorney General, the State Treasurer, the State Auditor and both bar associations, filed motions to strike the new complaint while the Secretary of State supported its contention as he had done in the principal suit.

Voluminous briefs were filed by all parties. All essential facts were covered in the various motions and briefs and the court ordered an oral argument on the law points thus presented. During the course of the argument the attorneys for Romiti and the Secretary of State admitted that the allocation of three of the seven justices to the First District was a substantial compliance with the "one man—one vote" doctrine.

Mr. Justice Daily of the Third District had died on July 1, 1965 and it was acknowledged that his successor would be elected from the First District. The argument was made for the plaintiff, however, that the indefinite postponement of ultimate attainment of three resident justices in the First District made the provision for retention of downstate justices unconstitutional.

Oral arguments on behalf of all parties to the original suit were concluded and the court took the case under advisement.

After the arguments but before the court handed down its opinion, Mr. Justice Harry B. Hershey of Taylorville of the Fifth District resigned, effective November 7, 1966. Though his term still had four years to run—until 1970 before he would have stood for retention—Justice Hershey felt that his health would not withstand the arduous labors on the court beyond the November term, 1966. So that there would be no extended vacancy on the Court he filed his resignation early enough so that nominating conventions could be held by both parties to nominate candidates to fill out his unexpired term. His action accordingly made it certain that in the election to be held in November 1966, two residents of the First District would be elected to the Supreme Court to fill the vacancies created by the death of Justice Daily and the resignation of Justice Hershey.

The three-judge court speaking through Chief Judge Hastings, handed down its opinion on June 30, 1966. The opinion is reported in 256 Fed. Supp. 35. The opinion upheld the constitutionality of the Article with special reference to the provisions for the Supreme Court. The opinion made it clear that no federal constitutional question was presented. No appeal was taken.

The vacancies in the First District of the Supreme Court, resulting from the death of Justice Daily in the Third District and the resignation of Justice Hershey in the Fifth District, were to be filled at the general election in November 1966 by residents of Cook County. Each major party duly nominated a candidate for each vacancy. At the November election the Honorable Thomas E. Kluczynski, formerly Chief Justice of the Appellate Court for the First District, and the Honorable Daniel P. Ward, States Attorney of Cook County, were elected. Justices Kluczynski and Ward were sworn in on December 13, 1966, thus effectuating the constitutional provision that the First District should have three of the seven justices.

### **Final Implementation of the Provisions of the Article**

As previously pointed out, certain constitutional changes which could not become effective immediately were covered in the transitional provisions of the Schedule. At the conclusion of this, the third year under the Article, almost all of these changes have been concluded.

The most significant temporary provisions were the change-over in the Supreme Court discussed above, and the appointment by the Supreme Court of resident justices to the Appellate Courts of the five districts effective January 1, 1964. The justices so appointed continued to serve until December 7, 1964 when the justices elected in November 1964 were sworn in. To provide continuity of experience in the Appellate Court, one-third of the justices in



each district were elected for six-year terms, one-third for eight-year terms and the balance for the full ten-year term.

The elevation of Justice Kluczynski from the Appellate Court to the Supreme Court will require an election for his successor to be held in November 1968. In the meantime, the Supreme Court under its general administrative powers assigned the Honorable Thaddeus V. Adesko, a circuit judge of Cook County, to serve as a justice of the Appellate Court of the First District.

The Schedule also provided that all elected judges should continue in office. All former Circuit and Superior Court judges, judges of the County and Probate Courts of Cook County, and the chief justice of the Municipal Court of Chicago were to become circuit judges. All other county and probate judges, as well as all elected judges of courts of record in cities, villages, towns, and municipalities (including the Municipal Court of Chicago) were continued in office as associate circuit judges. All of these judges were permitted to run for retention at the expiration of their original elected terms. All of the present judges have now been retained by elections in either November 1964 or November 1966 under the titles they now hold.

The elected justices of the peace and police magistrates and appointed masters in chancery were held in office under the Schedule during the balance of their respective terms. At the conclusion of these terms, the offices were abolished and no right of retention given. The terms of the appointed masters in chancery expired in December 1965. Approximately 700 justices of the peace and police magistrates went out of office in April and December 1965. Thirty-three elected police magistrates (twenty downstate and thirteen in Cook County) are still acting but will go out of office in April 1967 when their respective terms expire.

As the various justices of the peace and police magistrates went out of office, the provision for appointment of magistrates by the circuits became effective. At the end of 1966 there were slightly more than 200 such appointed magistrates in the entire state.

When the remaining elected police magistrates go out of office in April 1967, the various transitional provisions of the Schedule will all have been concluded.

### **1966 Changes Resulting from 1965 Legislation**

As set out in the 1965 report, the 74th General Assembly in 1965 adopted a great deal of significant court-related legislation. In addition to statutes which provided for judicial retirement, a far reaching new Juvenile Act, amendments to the Mental Health Code, extension of the experimental 10% bail

bond program, and uniform salaries for associate judges, other new measures were adopted which were of special importance to our administrative office as follows:

### **Appointed Magistrates**

One of the most significant changes in court organization resulted from the provisions of the new Judicial Article abolishing the elective office of police magistrate and justice of the peace when their terms expired and substituting therefor, as the terms expired, a new judicial category of appointed magistrates with circuit-wide instead of county jurisdiction. The Article provided these magistrates were to be appointed by the circuit judges in each circuit. The number, qualification, assignability and salaries of these magistrates was left for determination by the General Assembly.

In preparing for the change-over effective January 1, 1964 the 73rd General Assembly in 1963 provided that only lawyers and incumbent elected magistrates could be appointed. The state salary was fixed at \$10,000 with a supplement of \$6,000 in Cook County. Matters assignable to magistrates were, in the main, similar to the jurisdiction of the former justices of the peace—but with the added authority to hear civil cases up to \$5,000. Since such magistrates were to be circuit officers their number was based, under a complicated formula, on the population of the circuit. Downstate circuits were permitted one magistrate for each 35,000 people or fraction thereof, reduced by the number of associate judges in the circuit in excess of one per county. In Cook County the Article required that one-fourth of the magistrates be from the suburban area outside the city of Chicago. With that limitation the General Assembly provided for one magistrate in Cook County for each 35,000 people, reduced by the number of associate judges in excess of 16.

The formula based on population alone gave no consideration to the fact that the circuits differed widely in conditions creating need for magistrate courts. Heavy university or interstate traffic, especially gateways to other states, penitentiaries or other institutions requiring numerous court hearings, truck weigh stations and various other conditions required more magistrates than would conditions in rural counties.

In addition to the above factors a further problem was created by passage of the original Mental Health Code, in 1963, by the 73rd General Assembly. That Act provided that after July 1, 1964 every person committed should have a judicial hearing within 5 days after commitment. This requirement resulted in a tremendous burden on the circuits having large mental institutions. However, the terms of the elected justices of the peace who were continued in office under the Schedule did not begin to expire

until April, 1965. Accordingly, while the requirement of the 5 days notice imposed a serious burden, it was not an impossible task.

The same Mental Health Code provided that beginning July 1, 1965 every individual who had been in an institution for a year or more had to have a complete judicial review and that such reviews were to be held annually as long as the individual remained in confinement. This requirement presented an intolerable judicial burden especially since over 700 elected justices of the peace went out of office in April 1965. Because of the new burden to arise July 1, 1965 the 74th General Assembly passed emergency legislation relieving the courts of the annual hearing and substituting therefor an annual hearing conducted by professional staff members at the institution. However, the 5 day judicial hearing on admission was left unchanged.

The 74th General Assembly realized that because of the geographical factors mentioned above and the special requirements under the Mental Health Code certain circuits must be permitted to have additional magistrates. A bill was passed permitting the Supreme Court, after study and consideration of all these factors, to authorize the appointment of not more than 20 additional magistrates for the entire state. Questionnaires were sent out by our office to develop necessary information. After a complete survey of magistrate needs in the entire state, 8 circuits were authorized early in 1966 to appoint a total of 12 magistrates. In December 1966 the terms of additional elected police magistrates expired creating similar needs in other circuits. At the end of 1966, 18 of the permissive magistrates had been appointed.

The above comments referred to the legislative action defining matters assignable to the newly appointed magistrates as being greatly similar to the jurisdiction of former justices of the peace. The use of the word "jurisdiction" to describe a limitation of authority is not properly applicable to magistrates. Magistrates are full judicial officers. Judgments entered by them are judgments of the circuit court when entered in matters to which the magistrate has been assigned by the chief judge as authorized by the statute, or if the assignment is beyond the statutory authorization, when, after full and fair notice to all parties, timely objection to the assignment is not made. (See: Ill. Rev. Stat. 1965, Ch. 37 §628; *Smith vs Dunaway*, 77 Ill. App. 2d 1 (1966)). This waiver is similar to a failure to make timely objection raising improper venue.

The 74th General Assembly increased the matters assignable to magistrates to include civil cases where the amount of damages or value of personal property claimed does not exceed \$10,000. These matters specifically included contract and tort actions, replevin, attachments, proceedings to collect taxes, proceedings for enforcement and foreclosure of com-

mon law and statutory liens of not to exceed \$10,000 on either real or personal property, actions on land titles and several other specific matters. (Ill. Rev. Stat. 1965, ch. 37, §622). Section 626 of chapter 37 was also amended to provide that the Supreme Court by rule might specify additional categories of matters assignable to magistrates, except that certain categories could not be assigned to magistrates who were not lawyers. Pursuant to that authority, the Supreme Court on November 28, 1966 adopted Rule 295, effective January 1, 1967, which further extended the matters assignable to magistrates.

As a result of the expanded category of matters assignable to them, magistrates in Illinois have attained greater dignity and many are now handling matters which formerly were handled exclusively by circuit and associate circuit judges.

### Court Reporters

As set out in the 1965 report, a dual system of court reporters existed in Illinois. Each of the 67 circuit judges downstate and 45 in Cook County had an appointed court reporter paid by the Auditor of Public Accounts. In the smaller counties these court reporters received \$7500 per year and in the larger counties \$8000. In addition to these state paid court reporters authorized by statute, there were 134 county paid reporters serving in various county, probate and city or municipal courts. In the smaller counties, many of these reporters were paid on a per diem basis and worked only a few days a month. Others were kept relatively busy and were paid an annual salary, usually around \$5000 per year.

The Judicial Article in freezing into office all county, probate, city and municipal judges as associate circuit judges, created a complication in the reporter situation. Those judges were no longer limited in jurisdiction to the county or municipality where they had been elected but were now circuit officers subject to assignment by the chief judge to any other county in the circuit. Some counties naturally objected to the assignment of reporters paid by them to serve in some other county, and no provisions were available for the expenses of such reporters even if the county consented to their outside work.

The 74th General Assembly passed a statute providing that on July 1, 1965 our office should take over on our payroll all reporters who had formerly been paid by the Auditor of Public Accounts. This was done. It was further provided that on January 1, 1966 we should take over on our payroll as state employees all previously county paid court reporters who could qualify on an examination to be set up and conducted by our office. The statute provided that those reporters passing the "A" part of the examination would be entitled to a salary of \$9,000 per year and those passing only the "B" should receive an annual salary of \$6,000 per year. The statute



provided the examinations should be organized and presented by our office and be held every 6 months. A court reporter failing to pass the first examination could be retained on duty until the second. Failure to pass the second would require his dismissal.

The statute contained a grandfather clause which excused from the examination all court reporters who had been on duty in the circuit court for 5 years or more immediately preceding January 1, 1966. Based on certificates of service obtained by our office 46 state paid court reporters downstate and 25 in Cook County were excused from the examination. After January 1, 1966 these 71 reporters received \$9,000 per year. Reporters who did not come under the grandfather clause were continued on our payroll after January 1, 1966 on the basis of their previous salaries. All court reporters previously paid by the counties were placed on our payroll as of January 1, 1966 at their previous salary, as certified by the respective county treasurers.

The first examination was held February 12, 1966. These examinations were based on complete studies made by our office of the court reporter system in the federal courts and in various other states and after conferences with professionals who operated court reporter schools. Several meetings were also held with committees representing court reporters. The standards finally adopted were approved by the Supreme Court and all reporters not qualified by the grandfather clause were required to take the examination on February 12, 1966.

That first examination and the subsequent one held in August 1966 were held concurrently at three places in the state—the Center for Continuing Education at the University of Chicago at Chicago, Illinois State University at Normal and Southern Illinois University at Carbondale. Staffs of professional instructors were organized to conduct the tests on a two-voice basis and for grading the papers at conclusion.

While the examinations, both as to speed and type of material, had been approved by the committees of court reporters, many reporters failed to pass the examination—a number because they were too tense to be successful. The chief judges were permitted to keep these reporters on duty until a second test. Most of those with any real experience passed the August test.

The same statute authorized the Supreme Court, after a study had been made of the reporters' needs in each circuit, to allocate to each circuit the number of court reporters who could be appointed. The survey made by our office included the caseload in each county, the number of circuit and associate circuit judges and magistrates, any special problems in certain counties which might require heavy magistrates courts dockets because of traffic or other situa-

tions, the distances between communities in the various counties and other factors which could affect the needs of the circuit. Pursuant to that study the Supreme Court issued an administrative order allocating the number of permanent reporters to each circuit after the examinations of February 12.

### **New Juvenile Act.**

The 1965 report, on pages 11 and 12 and in an Appendix on pages 59 and 60, refers to the new Juvenile Act adopted by the 74th General Assembly. This new Act was the most advanced adopted by any state and recognized a new concept of due process and handling. The Act resulted in 1966 in many important changes in judicial processes as well as changes and improvements in probation, court services and psychiatric departments.

Though the Act was styled The Juvenile Court Act it did not establish a separate court but referred simply to a "session or division of the circuit court to hear matters under the Act". In many circuits, divisions formerly referred to as Family Divisions (under the Family Court Act of 1899) are now referred to as Juvenile Divisions.

The Act provides for a two part hearing—adjudicatory and dispositional. The adjudicatory hearing is a formal court hearing in the traditional sense. Parties must be informed of their rights and rules of evidence apply, as in civil cases. The adjudication of status as a ward by reason of delinquency, neglect, dependency, etc. must be based on a preponderance of the evidence, and the court must make and note specific findings. An adjudication of wardship is a final judgment for purposes of appeal.

After a minor is adjudged to be a ward of the court, the Act requires that evidence be heard as to the proper disposition. At this dispositional hearing "social procedures" become operative. Evidence may be admitted and relied upon to the extent of its probative value, even though it would not be competent in the adjudicatory hearing. Thus, the use of traditional psychological, social study and probation investigation reports are preserved. The court must inform the parties of the contents of the various reports but the confidential nature of the reports may be maintained, so that agencies and officers will not be prejudiced in their further supervision of the minor or his family.

It is to be noted that this two part approach provides all constitutional safeguards and due process before the minor can be adjudged a ward of the court and then provides for disposition under the traditional type of hearing, based on psychological, probation and similar studies.

The Act also provided that each county must maintain a Probation Department, except that two or more counties within a circuit might join to form

a Probation District. In either case, the financial burden remains with the county, providing, however, that the state will pay one-half (up to \$300 per month) of the salary of full time probation officers who have certain minimum qualifications. Pursuant to the Act, these qualifications were fixed by the Conference of Chief Circuit Judges and on June 23, 1966 filed with the Supreme Court. The Act also provided for Court Service Departments and psychiatric departments which contemplate substantially greater functions than those performed by probation departments. The state also will pay a similar part of the salary of such full time personnel who have the minimum qualifications required.

### **The Judiciary—Retirements and Changes**

As noted in Section I above, Supreme Court Justice Harry B. Hershey's resignation in the early summer of 1966 became effective November 7, 1966. Justice Hershey had been a member of the Supreme Court since 1951 and his term still had four years to run—until 1970. Justice Hershey felt that his health would not permit him to serve beyond the November term. To prevent an extended vacancy on the Court, he filed his resignation early enough so that nominating conventions could nominate candidates for his unexpired term.

At the time of his resignation, Justice Hershey was exceeded in seniority only by Justice Walter V. Schaefer. In addition to 15 years service on the Supreme Court, Justice Hershey had a long and very distinguished career as one of the great lawyers and leading citizens of Illinois. He practiced at Taylorville in Christian County, Illinois, representing in addition to several railroads, many other important clients. His recognition as a great lawyer was state-wide and in 1940 his party gave him the Democratic nomination for governor where his campaign enhanced his already great reputation as a lawyer and citizen. In 1951 his neighbors and other citizens in the what was then the Second Supreme Court District, elected him to that high post, even though his district was normally Republican.

For 15 years Justice Hershey served with great distinction on the Supreme Court and was the author of many outstanding opinions. At the close of his first term on the Supreme Court, the Republican party refused to nominate anyone to oppose him and he was returned unanimously to his high position.

His colleagues and his myriad of friends hope that relief from the arduous labors on the Court will allow Justice Hershey to enjoy a long and happy retirement.

In addition to the retirement of Justice Hershey, Illinois lost many other able judges through retirement:

Circuit Judge Maurice E. Barnes retired on December 4, 1966;

Associate Judge Max Endicott retired on December 4, 1966;

Associate Judge Minard E. Hulse did not seek retention in 1966;

Associate Judge Don E. Pioletti did not seek retention in 1966;

Circuit Judge George B. Weiss retired on December 4, 1966;

Circuit Judge Leon A. Zick retired on December 5, 1966.

In addition to the retirement of these distinguished jurists, the Illinois courts lost other long-time and honored judges through death. These included:

Circuit Judge John F. Bolton, December 17, 1965

Circuit Judge Augustine J. Bowe, February 6, 1966

Circuit Judge DeWitt S. Crow, September 19, 1966

Circuit Judge Hugo M. Friend, April 29, 1966

County Judge Edmund K. Jarecki, October 15, 1966

Circuit Judge Frank R. Leonard, January 8, 1966

Appellate Judge John C. Lewe, May 17, 1966

Associate Judge Joseph H. McGarry, January 8, 1966

Associate Judge Lawrence L. Phares, January 13, 1966

Circuit Judge Burton A. Roeth, June 23, 1966

Circuit Judge Fred W. Slater, August 14, 1966

Associate Judge Herbert R. Stoffels, August 29, 1966

As in the case of Justice Hershey, four other judges, Judge Barnes, Judge Endicott, Judge Weiss, and Judge Zick retired early enough so their successors could be nominated and stand for election in November 1966. Circuit Judge Alexander J. Napoli resigned his judgeship on October 16, 1966 upon his appointment as a federal district judge (Northern District of Illinois) and his unexpired term was also filled in November, 1966. The retirement and resignation vacancies thus created, and most of those created by death, were filled in the election of November 1966.

As noted in Section I above, Justices Kluczynski and Ward were elected in November 1966 from the First District (Cook County) to serve on the Supreme Court. There were no elections to the Appellate Court. The judges elected to that court the first time in November 1964 had been given, respectively, six, eight and ten year terms, none of which had expired and, happily, none of the judges had died.

There were elections for circuit judges in Cook County and in four circuits downstate. The following judges were elected to the circuit court in November 1966 from the circuits set out in parentheses after their respective names:

Judge L. Sheldon Brown (Cook)

Judge Archibald J. Carey, Jr. (Cook)

Judge Francis T. Delaney (Cook)



Judge Reginald A. Holzer (Cook)  
 Judge Walter J. Kowalski (Cook)  
 Judge Thomas R. McMillen (Cook)  
 Judge Harry S. Stark (Cook)  
 Judge Albert G. Webber III (6th)  
 Judge Richard Mills (8th)  
 Judge Albert Scott (9th)  
 Judge James E. Bales (15th)  
 Judge Helen R. Rutkowski (15th)

The election in November 1966 also resulted in naming many new associate circuit judges. Those elected in the Circuit Court of Cook County were:

Judge Raymond K. Berg  
 Judge David Cerda  
 Judge John F. Hechinger  
 Judge Glenn T. Johnson  
 Judge Nathan J. Kaplan  
 Judge Arthur V. Zelezinski

There were many vacancies downstate. In six counties the incumbent who had been elected before the effective date of the Article was not a lawyer and, hence, was not eligible to run for retention. The new associate judges elected downstate with their county and circuit in parentheses were:

Judge George Oros (1st Pulaski)  
 Judge John D. Daily (2nd Hamilton)  
 Judge C. Woodrow Frailey (2nd Hardin)  
 Judge Henry Lewis (2nd White)  
 Judge Bruce Saxe (2nd Edwards)  
 Judge E. Harold Wineland (4th Clay)  
 Judge James R. Watson (5th Cumberland)  
 Judge Creed D. Tucker (6th Champaign)  
 Judge J. Ross Pool (8th Adams)  
 Judge Lyle R. Wheeler (8th Mason)  
 Judge Samuel G. Harrod III (11th Woodford)  
 Judge Robert E. Higgins (12th Will)  
 Judge Herman W. Snow (12th Kankakee)  
 Judge Robert M. Bell (14th Rock Island)  
 Judge Frank A. Kerr (15th Ogle)  
 Judge Harry D. Strouse, Jr. (19th Lake)  
 Judge Lloyd A. Van Deusen (19th Lake)  
 Judge Francis E. Maxwell (20th Washington)

At the same November election many circuit and associate circuit judges stood for retention as permitted under the new Article. All of the judges running for retention were returned to office.

As noted in the preceding section, many new magistrates were appointed during the year in circuits where the need was especially important. Many other circuits, because of lesser need, have not appointed all of the magistrates which would have been permitted under the population formula. Also as noted above, at the end of 1966 there remained only 33 "carry-over" police magistrates, all of whom will go out of office when their terms expire in April 1967. Since many of these are in circuits having heavy magistrate loads, it will be necessary to re-

quest the 75th General Assembly to permit the appointment of some additional permissive magistrates.

### Courts Commission

Prior to the Judicial Article the only procedure to remove a judge from office was the cumbersome method of impeachment provided in the Constitution. The requirement of trial by the General Assembly was as ineffective as a similar procedure for impeachment of a federal judge by Congress. As Thomas Jefferson said: "Experience has already shown that the impeachment provided by the Constitution is not even a scarecrow".

The Judicial Article set up a workable procedure for retirement of a judge for disability or removal or suspension of a judge for cause. Section 18 provides:

"\* \* \* subject to rules of procedure to be established by the Supreme Court and after notice and hearing, any judge may be retired for disability or suspended without pay or removed for cause by a commission composed of one judge of the Supreme Court selected by that court, two judges of the appellate court selected by that court, and two circuit judges selected by the Supreme Court. Such commission shall be convened by the Chief Justice upon order of the Supreme Court or at the request of the Senate."

Pursuant to that authority the Commission was promptly set up by the Supreme Court and has been operating for almost three years. However, to protect against injury to a judge who may have been spitefully or unjustly charged, the rules of the Supreme Court require that all complaints and all preliminary investigations shall be confidential. Accordingly, there has been no disclosure of any pending complaint and as a result there has been no publicity whatever on the work of the Commission or even that it was operating.

The Courts Commission was appointed in the spring of 1964. Justice House of the Supreme Court was chairman. Justices Henry L. Burman and Samuel O. Smith represented the Appellate Courts in Cook County and downstate, and Circuit Judges Robert Jerome Dunne of Chicago and Marvin F. Burt of Freeport, were the other members. During January term, 1967, after his term as Chief Justice had expired, the Court appointed Ray I. Klingbiel to succeed Justice Byron O. House as Chairman.

On May 18, 1964 the Court adopted Rule 59-2 setting up the procedure to be followed on every written complaint filed. This is now Rule 51 (36 Ill. 2d 35). The Rules Committee in commenting on the confidential requirement said: "This is important in view of the virtual certainty that some of the charges which are made will be clearly unfounded. Fairness to the judge, as well as the public interest in pre-

serving his effectiveness as a judge when the charges are not well-founded, require that no publicity be given charges which are found so unsubstantial as not to warrant a commission hearing. The requirement of confidentiality will also permit the disposition of some proceedings on an informal basis by the acceptance of the resignation or voluntary retirement of a judge."

The committee's concern over "unfounded complaints" and "unwarranted charges" has been fully justified by the investigations made of the various complaints.

The following comments cover the work of the Commission and the number and type of complaints and the action thereon. A more specific summary in this Report would violate the rule of confidentiality.

There have been four complaints on political activity, four complaints of possible conflict of interest, two complaints of prejudice, two complaints of unreasonable delays by judges, one complaint alleging criminal misconduct and one complaint alleging improper language. One recent complaint claimed that a presiding judge had forced an early termination of a grand jury to prevent it from hearing a certain case.

There have also been sixteen complaints by dissatisfied litigants. Five of the latter complaints arose out of divorce actions and claimed that the judge had entered improper orders either on custody of children or finances. These complaints indicated that the unsuccessful party was taking out his bitterness on the trial judge. The other eleven complaints were by dissatisfied litigants in damage cases. In several of the latter cases the original complaint had been that the lawyer "sold him out". When our reply indicated that those complaints should be filed with the bar association, a second letter often came in that the judge had interfered and forced a settlement.

Numerous letters were also received from inmates at the penitentiaries. Most of these claimed inattention by the court clerks to the inmates' requests. Letters to the presiding judges brought quick results. Five letters, however, claimed the trial judge had acted illegally or had refused or neglected to appoint counsel or order records for indigents.

Except for two cases an investigation was made in every instance where a complaint was filed against a judge. In those two cases an appeal had been taken and it was felt inappropriate to consider the complaints while the appeal was pending.

Many complaints were so frivolous and unsubstantial as not to warrant much attention. One woman complained bitterly of a judge who refused to hold her opponent in contempt for perjury "though she testified exactly opposite to me". One woman complained because the judge had refused to give

her one-half of the personal injury award her husband had recovered. One man complained that the judge had refused him a jury in an injunction action and had believed the "lies" of the other party. Two men each complained that the judge in his case had awarded custody of the children to their mother though the husband wrote that he had testified she was improper. Our office usually wrote such complainants explaining the decision was within the discretionary power of the trial court, was therefore proper, and not subject to question except on direct appeal.

Where the complaint indicated any possible substance, a complete investigation was made. The chief judge of the circuit was ordinarily asked to investigate and report. Where deemed necessary, an examination of the court records and files was made, conferences were had with parties and attorneys, and in some instances statements obtained from attorneys for both sides. Most of the investigations showed a complete lack of substance to the complaint.

One inmate claimed he was indigent and that the trial judge had refused to order a free transcript or to appoint an attorney to appeal. Investigation developed he had recently inherited a valuable farm but didn't want to use his own money. Another inmate claimed a judge refused a free transcript. Investigation proved the transcript had been ordered, prepared and sent to the penitentiary. The inmate, however, had refused to accept it and it had been returned to the clerk's office. A third inmate complained the judge had refused to appoint an attorney or to order a free transcript. Investigation developed that both orders had been entered, the appointed attorney had orally argued the case in our Supreme Court and had then appealed it to the Supreme Court of the United States where the conviction was again affirmed.

Between the date on which the Commission was organized and the last day covered by this Report, only three complaints would have warranted possible public hearings by the Commission. In each of those cases the judge voluntarily retired and thus made any proceeding unnecessary. In two cases reprimands were given by the Court and in two other corrective measures taken to make certain that the judges' innocent mistakes were not repeated.

### **The Judicial Conference and Schools**

The Executive Committee of the Judicial Conference on January 1, 1966 consisted, as formerly, of 12 judges, 6 from Cook County and 6 from downstate. The Cook County judges included Appellate Justices Henry L. Burman, Thomas E. Kluczynski and Arthur J. Murphy, and Circuit Court Judges Wilbert F. Crowley, George Fiedler and Daniel J. McNamara. The downstate judges included Appel-



late Justice Mel Abrahamson, and Circuit Court Judges Roy O. Gulley, George O. Hebel, John T. Reardon, Rodney A. Scott and John F. Spivey. Judge Crowley had been appointed by the Supreme Court as chairman.

The major activity of the Executive Committee related to the two seminars held in 1966, one for appellate, circuit and associate circuit judges held on November 10 and 11, and one for all magistrates held December 19 and 20. The first for judges was organized under the plan which had proved so successful in 1964 and 1965. After an analysis of questionnaires sent to all judges by our office, five topics were selected by the Executive Committee and approved by the Supreme Court. Committees of judges and professors were appointed in February to prepare the material on the five topics. The committees met regularly and concluded their work in July. The reading material was organized, Xeroxed and bound in our offices and mailed by September to each of the 350 judges who attended.

The five subjects and committees for handling each were:

#### **I. Problems of Evidence**

Hon. John S. Petersen, Chairman and Discussion Leader  
Hon. Abraham W. Brussell, Vice-Chairman and Discussion Leader  
Prof. Edward W. Cleary, University of Illinois College of Law, Commentator  
Hon. William C. Calvin, Reporter  
Hon. Daniel H. Dailey, Reporter  
Hon. Henry W. Dieringer  
Hon. Norman M. Eiger  
Hon. Charles P. Horan  
Hon. Joseph A. Power, Reporter  
Hon. Daniel J. Roberts, Reporter

#### **II. Products Liability**

Hon. Charles J. Barrett, Chairman and Discussion Leader  
Hon. Dan H. McNeal, Vice-Chairman and Discussion Leader  
Hon. Hyman Feldman  
Hon. James A. Geroulis  
Hon. Irving Goldstein  
Hon. P. A. Sorrentino  
Hon. Harold F. Trapp  
Hon. Philip Yager  
Hon. Walter A. Yoder  
Prof. Vincent F. Vitullo, Loyola University School of Law, Reporter  
Prof. Ronald J. Salamone, Loyola University School of Law, Reporter

#### **III. Juvenile Problems**

Hon. Richard J. Scholz, Jr., Chairman and Discussion Leader

Hon. Walter P. Dahl, Vice-Chairman and Discussion Leader  
Hon. William C. Atten  
Hon. Sidney A. Jones, Jr.  
Hon. Helen F. McGillicuddy  
Hon. James K. Robinson  
Hon. Fred G. Suria, Jr.  
Prof. John P. Heinz, Northwestern University School of Law, Reporter

#### **IV. Probate Problems**

Hon. Robert Jerome Dunne, Chairman  
Hon. James M. Corcoran  
Hon. Seeley P. Forbes  
Hon. Roger Little  
Hon. Donald J. O'Brien  
Prof. Stephen E. Mochary, Loyola University School of Law, Reporter

#### **V. Problems and Techniques of Sentencing**

Hon. Frederick S. Green, Chairman and Discussion Leader  
Hon. Irwin N. Cohen, Vice-Chairman and Discussion Leader  
Hon. Joseph J. Barr  
Hon. James C. Craven  
Hon. Joseph J. Drucker  
Hon. William L. Guild  
Hon. Edward F. Healy  
Hon. George N. Leighton  
Hon. Keith F. Scott  
Hon. Ben Schwartz  
Prof. Charles H. Bowman, University of Illinois College of Law, Reporter  
Prof. Wayne R. LaFave, University of Illinois College of Law, Reporter

A highly successful seminar was conducted at the Center for Continuing Education of the University of Chicago on November 10 and 11. The Conference of Chief Judges met on the 9th. A dinner that evening for the Executive Committee, all committee members and professors, permitted last minute changes and perfections. Three hundred and fifty judges attended on Thursday, November 10 and Friday, November 11. As in previous years, most of the downstate judges were quartered at the Center, giving them an opportunity to renew old friendships, meet newly elected judges from other parts of the state and to discuss mutual problems.

New judges had been elected the previous Tuesday, November 8. Those elected without opposition were invited to attend the Conference. A letter was also sent to each of the candidates who had opposition with an invitation for the successful candidate to attend. Eleven newly elected judges attended the Conference at their own expense, inasmuch as they were not then judges and, thus, not entitled to reimbursement.

Since one of the five topics—Problems of Evidence—was conducted by Professor Edward W. Cleary from the University of Illinois, the discussions on that subject were necessarily attended for each of the four one-half day periods by one-fourth of the judges present. The other subjects were discussed in smaller groups, as in previous seminars.

The Magistrates' Seminar held in December was organized along the same general lines as the seminar for judges. Chief Judge Gale A. Mathers of the Ninth Circuit was appointed chairman of the 1966 Magistrate Seminar. A strong committee was appointed to serve with him, consisting of: Chief Judge John S. Boyle, Chief Judge David E. Oram, Chief Judge Glenn K. Seidenfeld, Circuit Judge John C. Fitzgerald, Circuit Judge James O. Monroe, Circuit Judge Eugene L. Wachowski, Associate Judge Maurice J. Schultz, Associate Judge Charles Smith, and Appellate Justice Mel Abrahamson, Liaison Officer.

Judge Mathers and his committee had several planning sessions which resulted in the adoption of four topics for discussion at the Seminar. These topics were approved by the Executive Committee and the Supreme Court. Individual committees were appointed to lead the discussion of each of the four topics. Reading material was prepared by these committees, xeroxed and bound by our office and distributed to all of the magistrates in the state.

A total of 218 magistrates attended the Seminar on December 19 and 20. As with the Judge Seminar, it was held at the Center for Continuing Education at the University of Chicago. Because the group was smaller, all downstate magistrates were quartered at the Center. In addition to the four discussion topics, a question-and-answer session was conducted on Thursday evening, December 19. A panel of senior circuit judges from throughout the state were on the platform and answered the numerous and varied questions submitted by the magistrates. This question-and-answer session proved to be one of the most popular and, possibly, most instructive sessions of the Seminar.

In addition to the two seminars described above, conducted by the Judicial Conference, Chief Judge John S. Boyle of Cook County arranged a school to be held November 28 through December 2, inclusive, in the Chicago Civic Center, for the new judges who had been elected the previous month. Judge Boyle sent invitations not only to all of the new Cook County judges, but to all of the newly elected judges from downstate. Since those attending would not be sworn in as judges until December 5, it was not possible to pay their expenses. Nevertheless, all of the Cook County and most of the new judges from downstate attended the five-day school held by Judge Boyle. As with the similar school held in 1964 for new judges, the five days were given over to ten major subjects, each of which was handled

by a senior circuit judge who was an expert in that particular field. All of those attending expressed great satisfaction with the subjects selected and the very helpful information given them.

In December 1966, the Supreme Court appointed Appellate Court Justice John J. Lyons and Circuit Court Judges Henry W. Dieringer and Irwin N. Cohen of Cook County to replace Appellate Court Justice Kluczynski (who had been elected to the Supreme Court) and Appellate Court Justices Burman and Murphy, who after long and distinguished service, felt they should retire from the Executive Committee. The Supreme Court also reappointed Judge Crowley as chairman for the new year, and appointed the Honorable Robert C. Underwood, Justice of the Supreme Court, as liaison officer to the Executive Committee. The Executive Committee met with Justice Underwood in December 1966 and made preliminary plans for its activities in the year 1967.

The Center for Continuing Education has been reserved for the Judges Seminar to be held Thursday and Friday, September 7 and 8, 1967 immediately after Labor Day. The Center has likewise been reserved for several years in the future for the Judges Seminar on the comparable Thursday and Friday.

The Executive Committee determined that there should be more time between the judges and magistrates seminars and has reserved the Center for Continuing Education for February 29 and March 1, 1968, for the next magistrate seminar. Questionnaires have been sent out to all judges to determine the subjects to be considered at the next judge seminar. As and when those subjects are determined and approved by the Supreme Court, committees conversant with those problems will be appointed.

### **The Conference of Chief Judges**

As noted in the 1965 report, one of the main activities of the Conference of Chief Judges in the year 1965 was to analyze by committee and in conference each piece of major legislation which affected the administration and management of the circuit courts.

As mentioned hereinabove, there were a number of studies and surveys necessary to implement the new provisions for court reporters, magistrates, juvenile courts and other matters covered in the legislation adopted by the 74th General Assembly. Each of the chief judges gave our office detailed information on the magistrate case load and the number and type of court reporters needed. This type of information was very helpful to our office in making recommendations to the Supreme Court on which the administrative orders on new magistrates and allocation for the number of court reporters were based.



The 74th General Assembly in the new Juvenile Act had designated the Conference of Chief Judges to study and prepare a set of minimum standards for probation, court service and other officers under that Act. A committee, under the chairmanship of Chief Judge Richard T. Carter, made an exhaustive study of the problem, including an analysis of the qualifications required in other states and set out the minimum standards which would be acceptable for such officers in Illinois.

After the Conference completed its studies necessary to implement the 1965 legislation, it arranged to meet only every other month in the year 1966. Those meetings were held at Chicago and were attended by an average of 19 of the 21 circuit court judges of the state. This high attendance attested to the value each chief judge attached to the opportunity to meet with his counterpart in other circuits, compare problems, propose solutions and insure that the special problems of his circuit were considered in the drafting of future statutes or rules. The frank and open discussion of the problems faced and solutions proposed by each circuit has developed both for the chief judges and for our office an understanding of the varying circuit court administrative problems.

In December 1966 the Supreme Court appointed the Honorable Robert C. Underwood, Justice of the Supreme Court, to serve also as liaison officer for the Conference of Chief Judges. At the first meeting with Justice Underwood, the Conference determined to meet monthly in 1967 during the sessions of the 75th General Assembly in order to propose legislation helpful to the courts and to analyze all legislation which would affect the courts.

The Conference has already suggested very significant legislation for adoption in 1967 relating to court reporters, the probable necessity for additional magistrates and other matters which relate to the better administration of justice at the circuit court level.

### **New Supreme Court Rules**

The Judicial Article conferred broad rule-making authority upon The Supreme Court. Immediate rule changes were necessitated on January 1, 1964—the effective date of the Article. The Court appointed a committee to suggest and draft necessary rule changes in order to effectuate an orderly transition to practice under the new Article. The initial changes were proposed and adopted by the Court and became effective January 1, 1964. Additional changes were made in May, 1964.

The Court subsequently commissioned the Supreme Court Rules Committee, under the chairmanship of Owen Rall, Esq. to present recommendations for the overall improvement and reorganization of the Rules.

The Committee met diligently and in July 1966 completed a tentative final draft which was printed as a public service by the Burdette Smith Company and distributed by the Administrative Office to all judges in the state and any attorneys who requested copies. The Committee asked for and received numerous comments and suggestions. The Committee considered all the suggestions, prepared a final draft which it submitted to the Court in November, 1966. The Rules were adopted on November 28, 1966 and became effective January 1, 1967.

One of the many distinguishing characteristics of the new Rules is their numbering and organization. The new Rules are divided into six articles:

Article I —Rules 1 -100—General Rules

Article II —Rules 101-300—Rules on Civil Proceedings in the Trial Court

Article III—Rules 301-400—Civil Appeals Rules

Article IV—Rules 401-600—Rules on Criminal Proceedings in the Trial Court

Article V —Rules 601-700—Criminal Appeals Rules

Article VI—Rules 701-800—Rules on Admission and Discipline of Attorneys

Though some of the articles are divided into parts, the rules are merely cited by number without reference to articles and parts.

The numbers assigned to the present rules range from 1 to 752. A sufficient quantity of numbers has been reserved to permit future expansion of the rules in their logical places (with respect to subject matter) without use of hyphens, dashes or decimals. The new numbering will also permit circuit court rules to be numbered similarly, thereby reducing the amount of time necessary to locate supplementary or implementing rules in the various circuits.

Also worthy of note is the incorporation of several former uniform circuit court rules into the Supreme Court Rules. This is a significant step toward the goal of uniformity of practice in all parts of the state.

The new Supreme Court Rules are a significant achievement. The work and dedication of the Committee has earned it and each of its members the high-praise and lasting respect of the legal profession of this state.

### **Circuit Court Recordkeeping**

The report for calendar year 1965 to the Court on pages 12 and 13, detailed the work of the Circuit Court Records Committee, the need for new methods

of recordkeeping, and the enabling legislation (of 1965) which permits the Supreme Court by rule or administrative order to change the present statutory method of recordkeeping.

Since the time of the last report, the draft of the proposed administrative order on recordkeeping was sent by our office to all judges, clerks and various bar groups and committees in the state. Approximately 150 responses were received criticizing or complimenting the draft. Many of the responses made important suggestions and analyses of the proposed recordkeeping plan.

A special sub-committee studied all of the suggestions, prepared a new draft of the administrative order, incorporating many of the suggestions. The new draft was submitted to the whole committee and was substantially revised.

Several changes were also incorporated in that portion of the administrative order which deals with financial records. These changes, as well as the original draft on financial records were made by the Committee in cooperation with a committee of the Illinois Society of Certified Public Accountants. The accountants on the Committee have donated a great amount of their time, not only to drafting the proposed minimum financial recordkeeping system, but also to reviewing several counties which have installed new financial recordkeeping systems and which were in doubt as to whether these new systems complied with the proposals of the Records Committee.

Immediate problems of statistical recordkeeping necessitated the appointment of a sub-committee of the Conference of Chief Circuit Judges to work on that portion of the administrative order which regulates statistical recordkeeping. Serious problems of coordinating the activities of the Records Committee and the Statistical Sub-Committee were encountered. An entirely new draft of all three phases of recordkeeping (case records, financial records, and statistical records) will be prepared and published in 1967 with the hope that the basic drafting work of all these committees will be completed and in adequate form to be submitted to the Court for consideration.

### **The Amazing Financial Results from the New System**

When the Judicial Article was adopted by the 72nd General Assembly in 1961 for referendum in 1962 and during the intervening period before the vote was taken, one of the chief criticisms of the new judicial system was the assumption that the cost would be prohibitive. Those who advanced that argument pointed out the groups of judicial personnel who would be taken over on the state payroll and various other expenses to be assumed by the state. The probability of these expenses became evident

from a mere reading of the proposed Article itself. The new plan provided the state would assume the salaries of all judges. This would include the thirty-six former judges of the Municipal Court of Chicago, whose salaries had previously been borne entirely by the City of Chicago. It would also include prospective higher salaries for all municipal, city, town and village court judges. It would also include a new type of appointed magistrate whose entire salary would be paid by the state, instead of being paid, at least in part, by fees collected from his judicial operations. Many other expenses, some probable and many imaginary, were also listed as indicating the tremendous cost which might be expected under the new system if adopted.

It is true that the state has assumed a very large burden which was previously borne by the counties or cities. Some of this burden resulted from the Article itself and some from legislation adopted both before and after its effective date.

In 1966 the state was paying approximately \$8,000,000 per year for salaries either entirely assumed or increases given to judicial officers formerly paid by counties and cities. As an illustration:

The state took over the payment of 102 county judges and 16 probate judges. These judges had previously been paid an average of \$8,000 per year or \$950,000. The state is now paying \$2,065,000 to these 118 judges, though the amount saved to the counties was only \$950,000.

The state is now paying the former judges of the Municipal Court of Chicago a total of \$750,000 per year. The entire salary had previously been paid by the City of Chicago.

The state is now paying 48 city and village judges \$17,500 per year. The state had formerly paid their salaries in a much lower amount. The additional cost to the state and savings to the municipalities totaled \$480,000 per year.

The state is now paying under the Juvenile Courts Act one-half of the salary of certain probation officers, none of whom were formerly paid by the state, at an annual cost of \$1,250,000.

The state is paying \$10,000 per year to 220 appointed magistrates and elective salary to 36 hold-over magistrates for a total of \$2,400,000, all of which was formerly paid by counties or cities.

The state is also paying 128 court reporters at an average of \$6,000 or a total cost of \$750,000, formerly paid by the counties.

Of this \$8,000,000 additional cost to the state, \$6,500,000 represents direct savings to the counties and municipalities in the nature of a windfall.

The counties and municipalities are not only saving at least \$6,500,000 per year as noted above, but

are also receiving tremendously increased payments of fines and costs which have resulted from the unified court system. The magnitude of this additional income was illustrated in an article by Chief Justice Roy J. Solfisburg, Jr., published in the April, 1967 **Illinois Bar Journal**, which is attached to this report (on page 65) as the Appendix.

### **Conclusion**

During this, the end of the third year under the Article, its constitutionality has been upheld, implementation under the transitional provisions of the Schedule has been completed and the whole system is functioning smoothly.

Conferences were held with the Judicial Advisory Council on legislation needed to correct such deficiencies as have been discovered and to provide the improvements suggested by you and the other judges. We will work closely with the 75th General Assembly after it convenes in January and are hopeful that the proposed helpful legislation will be adopted.

The results of the first three years show the new system is successful and our hopes for the future will be realized.

Respectfully submitted,

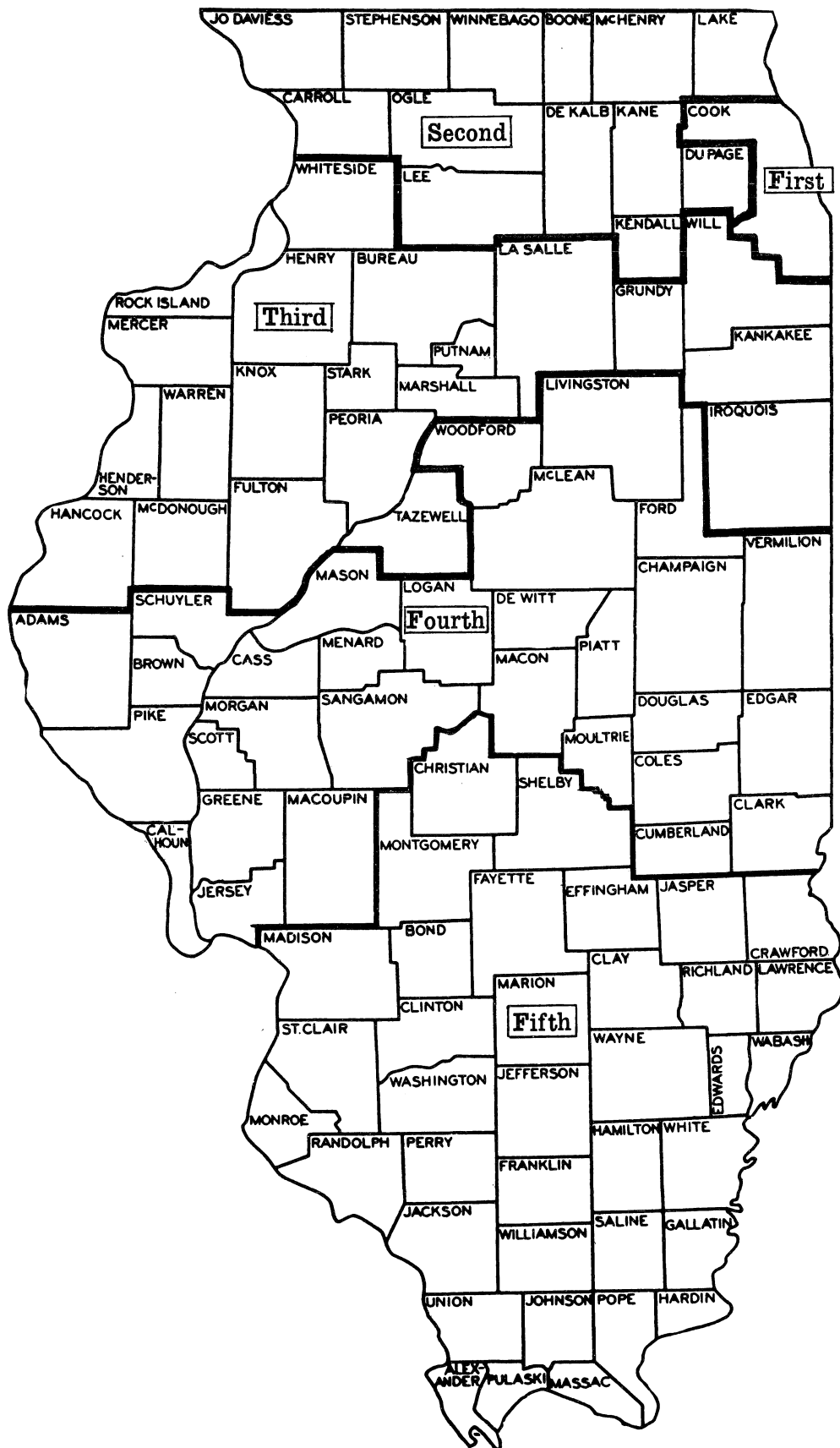
John W. Freels  
Director





**CASE LOADS  
AND  
STATISTICAL RECORDS  
1966**

**ILLINOIS SUPREME AND APPELLATE COURT  
JUDICIAL DISTRICTS**





## **SUPREME COURT OF ILLINOIS**

### **FIRST DISTRICT**

Walter V. Schaefer  
Chicago, Illinois

Thomas E. Kluczynski \*  
Chicago, Illinois

Daniel P. Ward \*  
Chicago, Illinois

### **SECOND DISTRICT**

Roy J. Solfsburg, Jr.  
Aurora, Illinois

### **THIRD DISTRICT**

Ray I. Klingbiel  
East Moline, Illinois

### **FOURTH DISTRICT**

Robert C. Underwood  
Bloomington, Illinois

### **FIFTH DISTRICT**

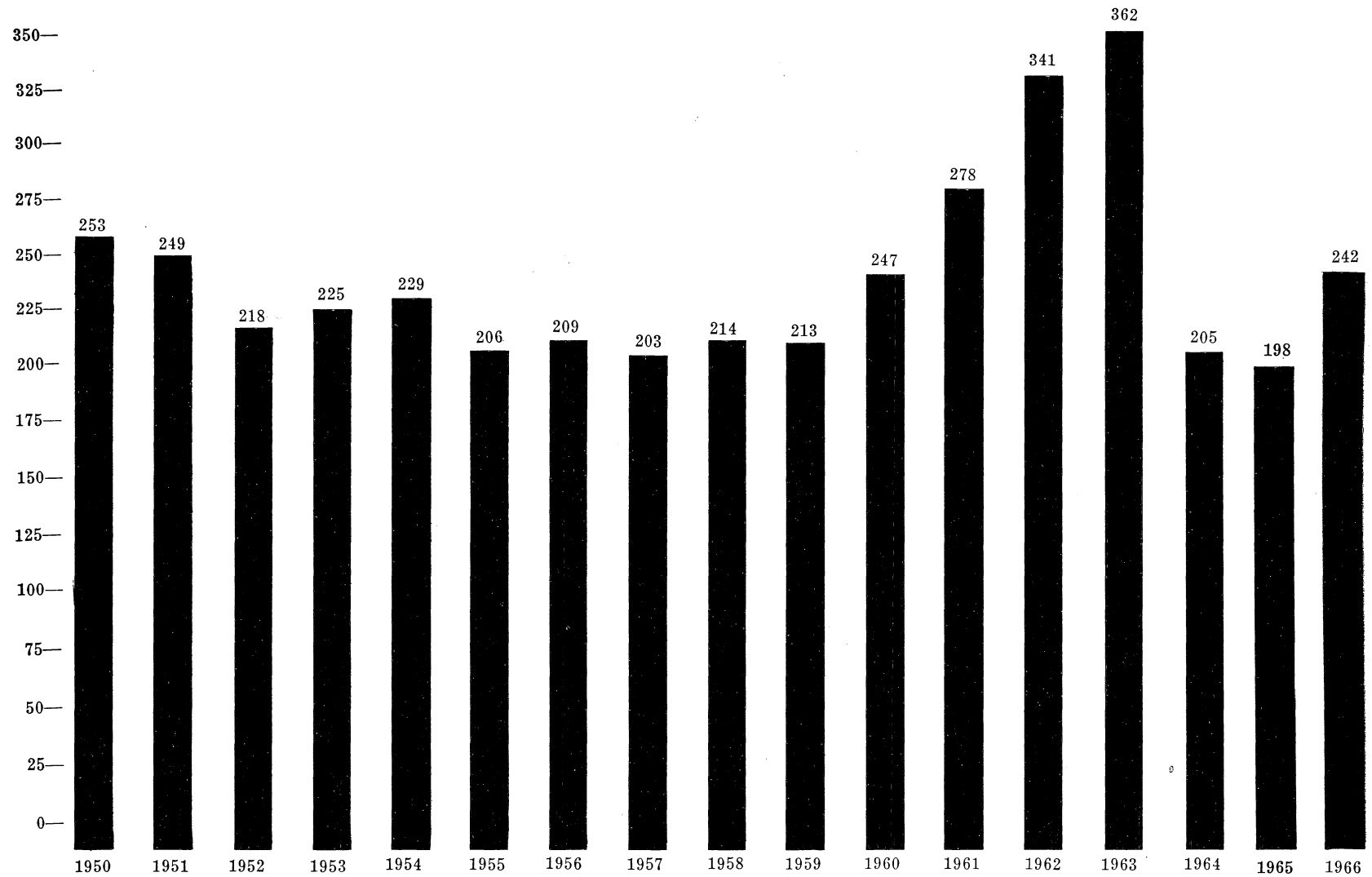
Harry B. Hershey \*\*  
Taylorville, Illinois

Byron O. House  
Nashville, Illinois

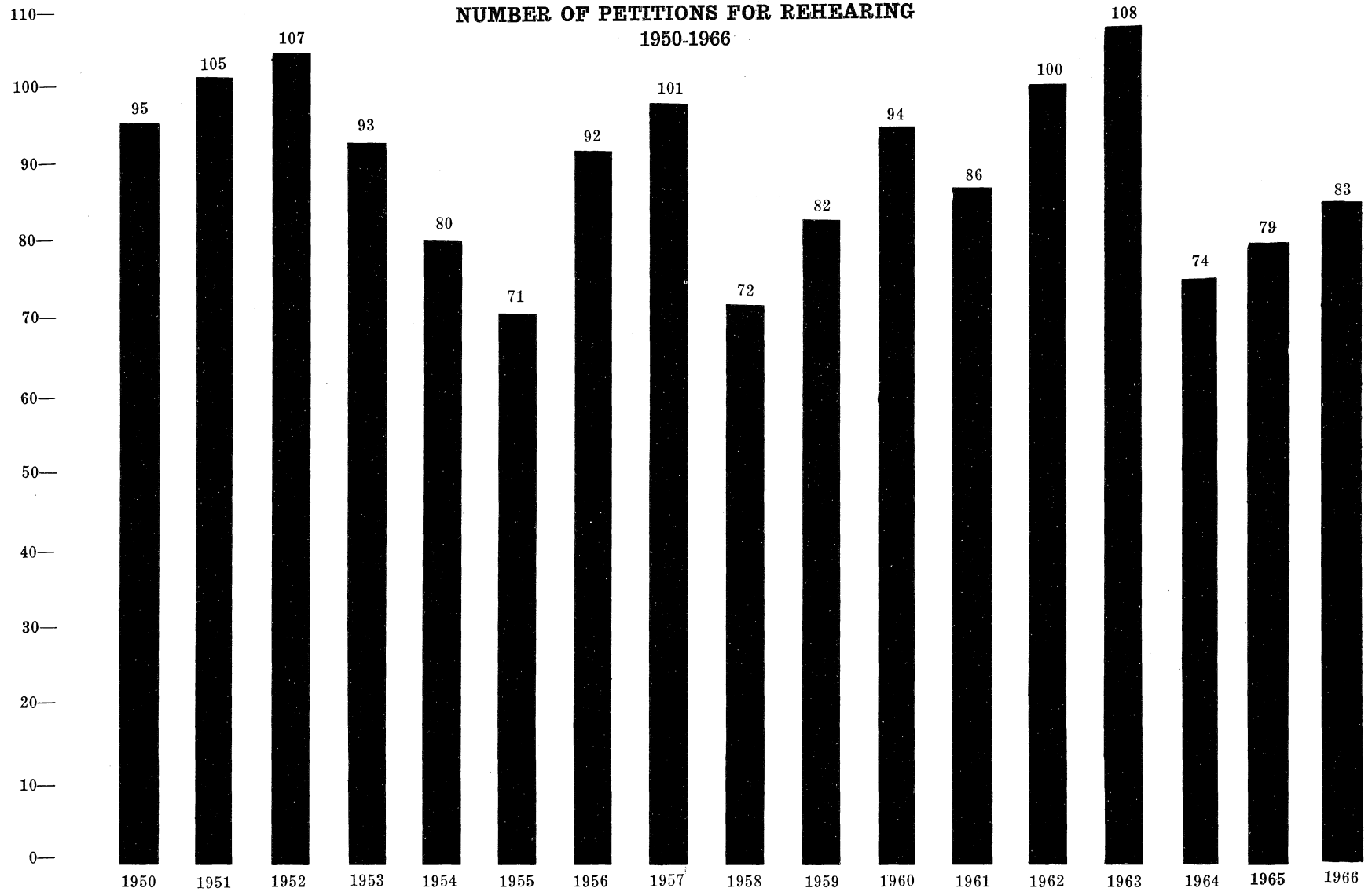
\* Elected November 8, 1966

\*\* Resigned November 7, 1966

**SUPREME COURT OF ILLINOIS  
NUMBER OF CASES DECIDED WITH FULL OPINIONS  
1950-1966**

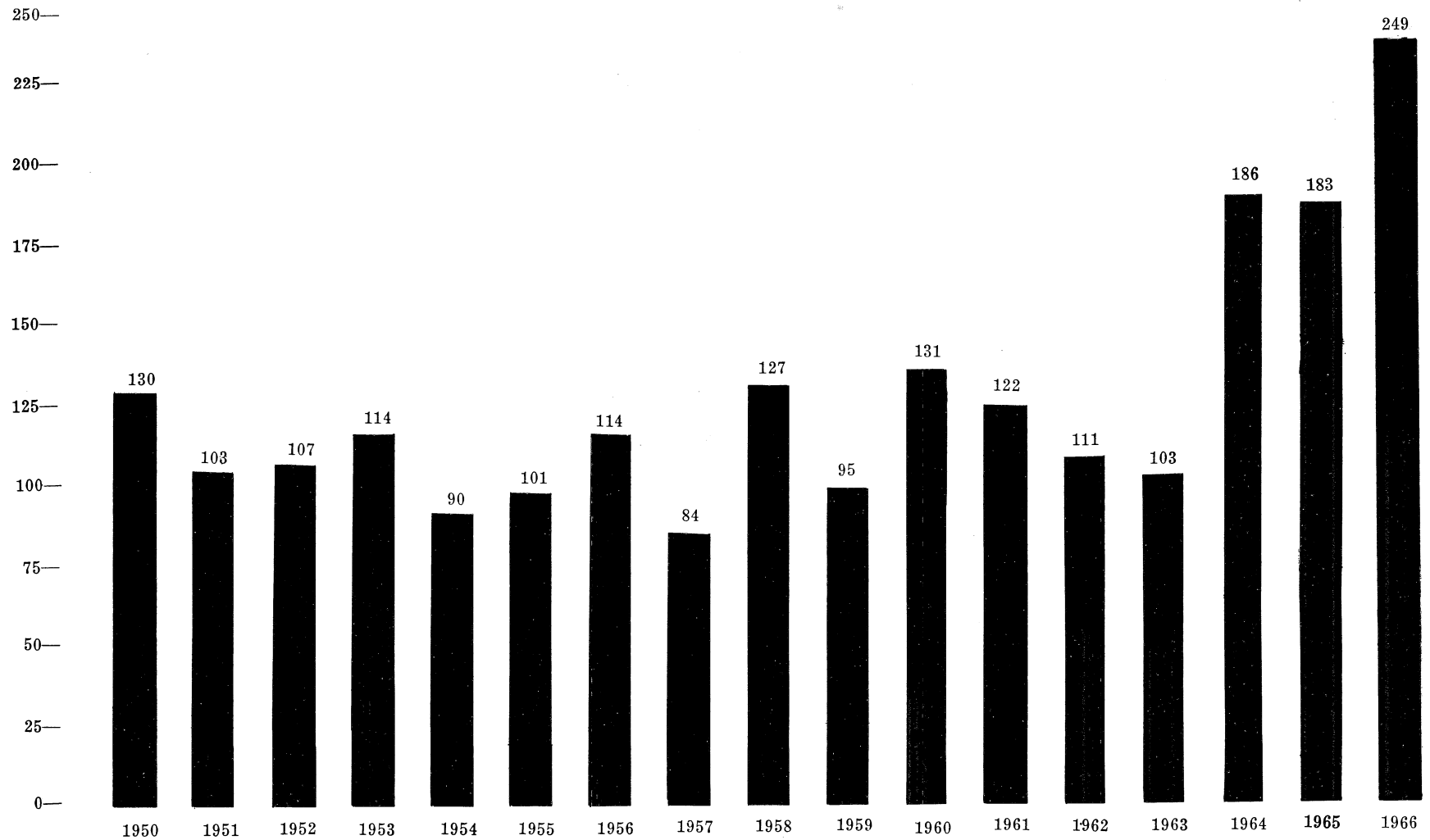


**SUPREME COURT OF ILLINOIS  
NUMBER OF PETITIONS FOR REHEARING  
1950-1966**

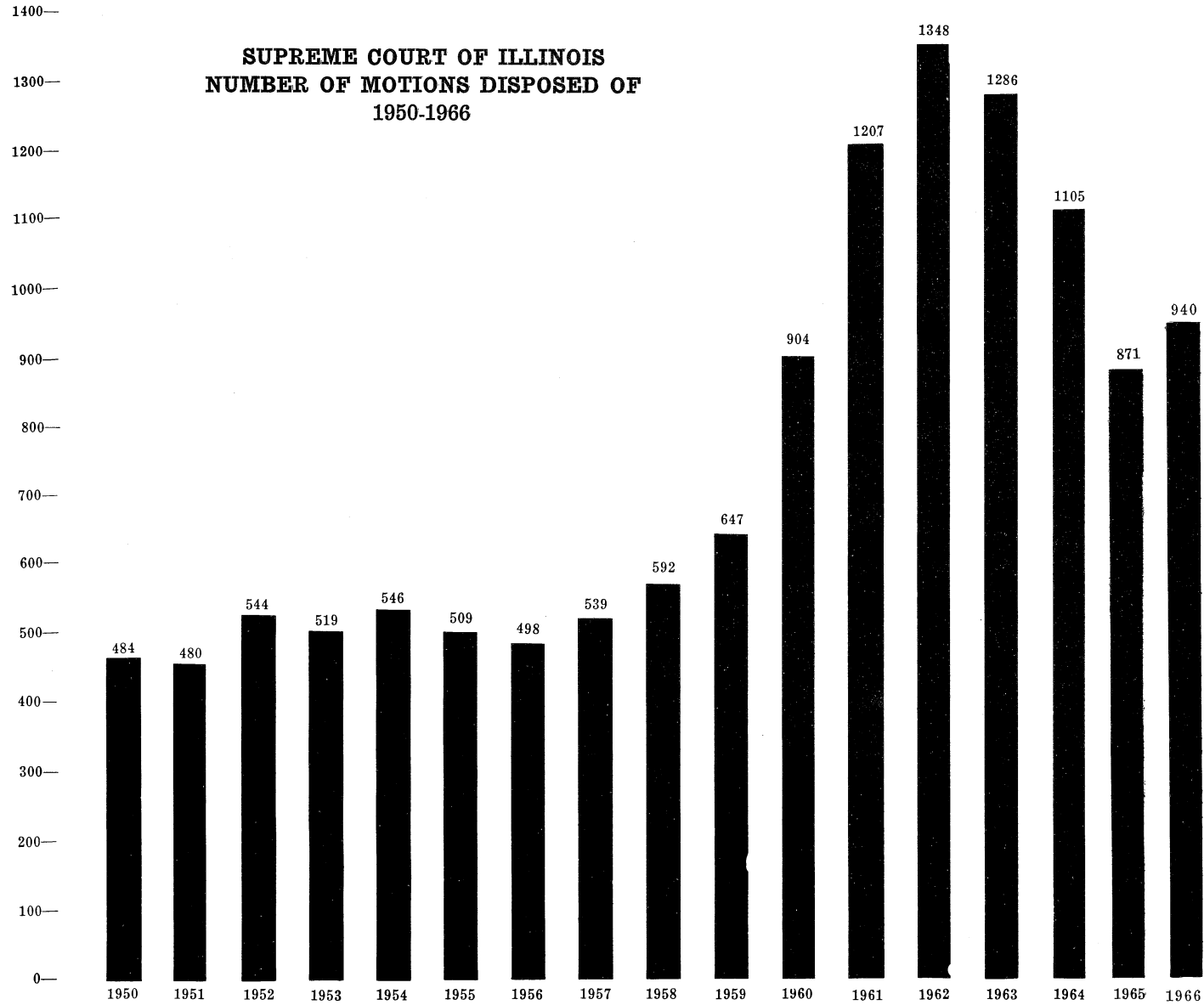




**SUPREME COURT OF ILLINOIS**  
**NUMBER OF PETITIONS FOR LEAVE TO APPEAL**  
**1950-1966**



**SUPREME COURT OF ILLINOIS  
NUMBER OF MOTIONS DISPOSED OF  
1950-1966**



## **APPELLATE COURT OF ILLINOIS**

### **FIRST DISTRICT**

#### **First Division**

Arthur J. Murphy, Presiding Justice  
Thaddeus V. Adesko  
Henry L. Burman

#### **Second Division**

John J. Lyons, Presiding Justice  
James R. Bryant  
Joseph Burke

#### **Third Division**

Arthur A. Sullivan, Presiding Justice  
John T. Dempsey  
Ulysses S. Schwartz

#### **Fourth Division**

Robert E. English, Presiding Justice  
Joseph J. Drucker  
John V. McCormick

### **SECOND DISTRICT**

Charles H. Davis, Presiding Justice  
Mel Abrahamson  
Thomas J. Moran

### **THIRD DISTRICT**

Allan L. Stouder, Presiding Justice  
John R. Coryn  
Jay J. Alloy

### **FOURTH DISTRICT**

James C. Craven, Presiding Justice  
Samuel O. Smith  
Harold F. Trapp

### **FIFTH DISTRICT**

George J. Moran, Presiding Justice  
Edward C. Eberspacher  
Joseph H. Goldenhersh



**THE TREND OF CASES IN THE APPELLATE COURT  
DURING 1966**

Appellate District		No. of Cases Pending 1-1-66	No. of Cases Filed During 1966	No. of Cases Disposed of During 1966	No. of Cases Pending 12-31-66	Gain or Loss in Currency	
						Gain	Loss
First <sup>1</sup> .....	Civil.....	866	857	688	1,035	.....	169
	Criminal....	.....	.....	.....	.....	.....	.....
Second.....	Civil.....	69	119	115	73	.....	4
	Criminal....	30	37	45	22	8	.....
Third.....	Civil.....	41	80	60	61	.....	20
	Criminal....	19	36	21	34	.....	15
Fourth.....	Civil.....	45	92	81	56	.....	11
	Criminal....	32	39	52	19	13	.....
Fifth.....	Civil.....	75	90	114	51	24	.....
	Criminal....	17	58	56	19	.....	2
Total.....	Civil.....	1,096	1,238	1,058	1,276	.....	.....
	Criminal....	98	170	174	94	.....	176

<sup>1</sup> The First Appellate District does not have separate dockets for civil and criminal cases.

### CASES DISPOSED OF IN THE APPELLATE COURT IN 1966

Appellate District		Affirmed	Reversed	Affirmed in Part	Dismissed	Other Dispositions
First.....	Civil.....	132	103	23	148	11
	Criminal....	199	45	9	15	3
Second.....	Civil.....	49	37	2	25	2
	Criminal....	28	11	0	5	1
Third.....	Civil.....	27	18	3	11	1
	Criminal....	13	5	0	2	1
Fourth.....	Civil.....	37	21	3	14	6
	Criminal....	27	13	5	7	0
Fifth.....	Civil.....	47	29	7	28	3
	Criminal....	15	6	0	10	25
Total.....	Civil.....	292	208	38	226	23
	Criminal....	282	80	14	39	30

**TIME LAPSE BETWEEN DATE OF FILING AND DATE OF  
DISPOSITION OF CASES DECIDED IN THE  
APPELLATE COURT DURING 1966**

Appellate District		Time Elapsed					
		Under 6 Mos.	6-12 Mos.	1-1½ Years	1½-2 Years	2-3 Years	Over 3 Years
First¹.....	Civil.....	20	85	99	36	10	0
	Criminal....	11	60	105	66	19	0
Second.....	Civil.....	35	69	10	0	2	0
	Criminal....	8	28	7	1	0	0
Third.....	Civil.....	18	34	8	0	0	0
	Criminal....	8	7	5	1	0	0
Fourth.....	Civil.....	23	44	14	0	0	0
	Criminal....	10	33	8	1	0	0
Fifth.....	Civil.....	25	64	22	2	1	0
	Criminal....	34	16	3	3	0	0
Total.....	Civil.....	121	296	153	38	13	0
	Criminal....	71	144	128	72	19	0

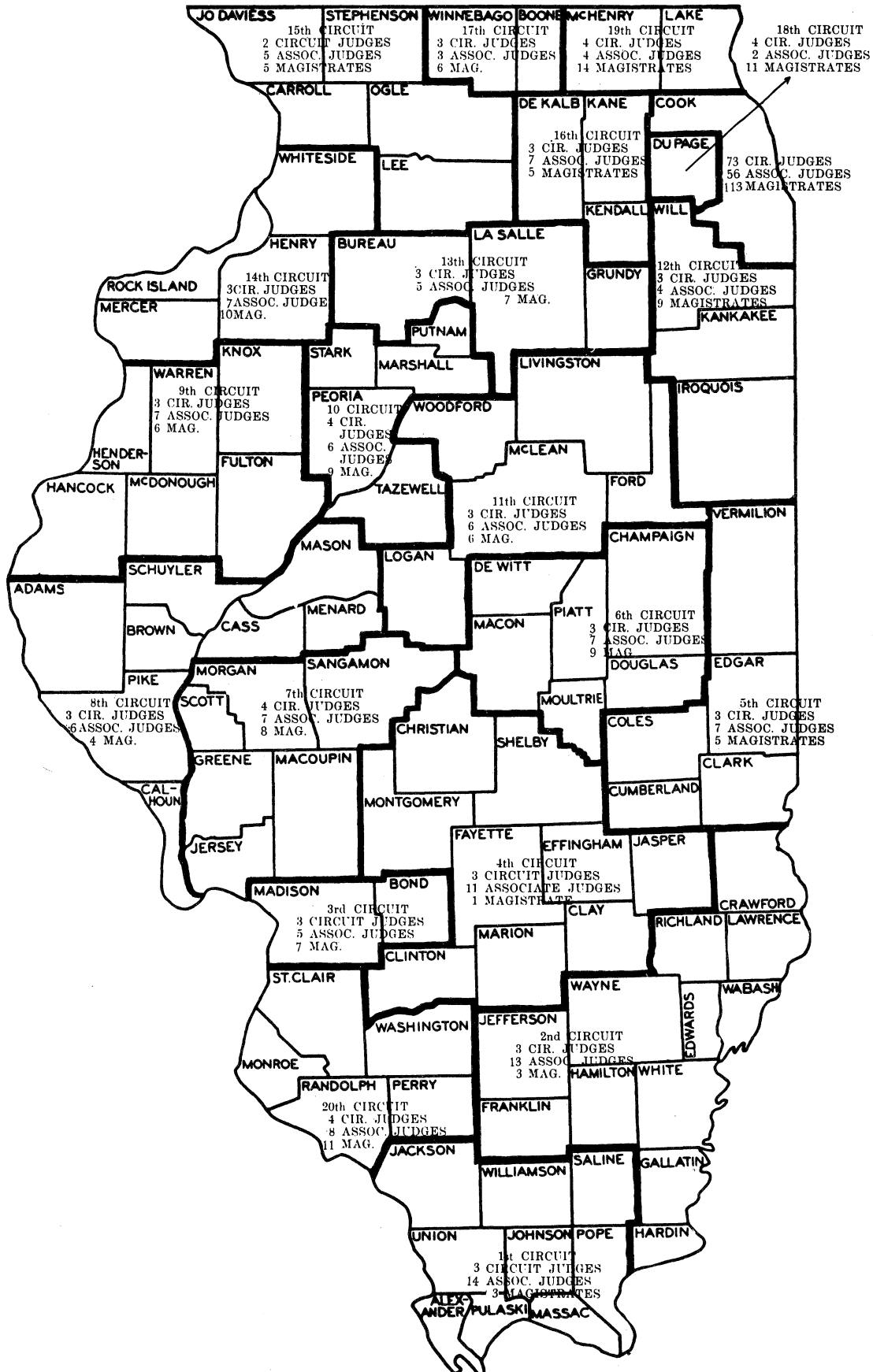
¹ Only those cases in which opinions were written.

**TIME ELAPSED BETWEEN DATE BRIEFS WERE FILED AND  
DISPOSITION OF CASES DECIDED IN THE APPELLATE COURT  
DURING 1966**

Appellate District		Time Elapsed					
		Under 6 Mos.	6-12 Mos.	1-1½ Years	1½-2 Years	2-3 Years	Over 3 Years
First¹.....	Civil.....	117	102	27	3	1	0
	Criminal....	198	57	6	0	0	0
Second.....	Civil.....	61	28	2	1	0	0
	Criminal....	31	8	0	0	0	0
Third.....	Civil.....	44	14	2	0	0	0
	Criminal....	12	7	2	0	0	0
Fourth.....	Civil.....	49	31	1	0	0	0
	Criminal....	36	16	0	0	0	0
Fifth.....	Civil.....	69	40	5	0	0	0
	Criminal....	52	4	0	0	0	0
Total.....	Civil.....	340	215	37	4	1	0
	Criminal....	329	92	8	0	0	0

¹ Only those cases in which opinions were written.

**THE CIRCUIT COURTS OF ILLINOIS**  
**THE NUMBER OF JUDGES AND MAGISTRATES IN EACH CIRCUIT**  
**AS OF MARCH 1, 1967**





## COOK COUNTY

### Circuit Judges

John S. Boyle\*  
 Thaddeus V. Adesko  
 Charles R. Barrett  
 Norman C. Barry  
 Frank H. Bicek  
 Jacob M. Braude  
 William V. Brothers  
 (dec'd 1/31/67)  
 L. Sheldon Brown  
 (elected Nov. '66)  
 Abraham W. Brussel  
 Joseph J. Butler  
 Walker Butler  
 David A. Canel  
 Archibald J. Carey, Jr.  
 (elected Nov. '66)  
 Irwin N. Cohen  
 Nathan M. Cohen  
 Thomas J. Courtney  
 Daniel A. Covelli  
 James D. Crosson  
 Wilbert F. Crowley  
 Casimir V. Cwiklinski

Walter P. Dahl  
 William V. Daly  
 Francis T. Delaney  
 (elected Nov. '66)  
 Henry W. Dieringer  
 Thomas C. Donovan  
 Charles S. Dougherty  
 Raymond P. Drymalski  
 Robert J. Dunne  
 Edward J. Egan  
 Samuel B. Epstein  
 Hyman Feldman  
 George Fiedler  
 Edward R. Finnegan  
 John C. Fitzgerald  
 Richard J. Fitzgerald  
 Thomas H. Fitzgerald  
 Herbert R. Friedlund  
 Hugo M. Friend  
 (dec'd 4/29/66)  
 James A. Geroulis  
 John Gutknecht  
 Albert E. Hallett  
 Richard A. Harewood

Cornelius J. Harrington  
 Edward F. Healy  
 Jacques F. Heilingoetter  
 Harry G. Hershenson  
 Elmer N. Holmgren  
 Reginald A. Holzer  
 (elected Nov. '66)  
 Robert L. Hunter  
 Walter J. Kowalski  
 (elected Nov. '66)  
 Irving Landesman  
 George N. Leighton  
 Frank R. Leonard  
 (dec'd 1/8/66)  
 John J. Lupe  
 Robert L. Massey  
 Donald S. McKinlay  
 Thomas R. McMillen  
 (elected Nov. '66)  
 Daniel J. McNamara  
 James J. Mejda  
 John C. Melaniphy  
 F. Emmett Morrissey  
 Alexander J. Napoli  
 (resigned 10/16/66)

Donald J. O'Brien  
 Harold P. O'Connell  
 (dec'd 2/17/67)  
 Herbert C. Paschen  
 Edward E. Plusdrak  
 Joseph A. Power  
 George L. Quilici  
 Daniel A. Roberts  
 Philip A. Shapiro  
 Fred W. Slater  
 (dec'd 8/14/66)  
 Pasquale A. Sorrentino  
 Harry S. Stark  
 (elected Nov. '66)  
 Sigmund J. Stefanowicz  
 B. Fain Tucker  
 Eugene L. Wachowski  
 Harold G. Ward  
 George B. Weiss  
 (resigned 12/4/66)  
 Alfonse F. Wells  
 Benjamin Wham  
 William Sylvester White

### Associate Judges

Thomas W. Barrett  
 William M. Barth  
 Raymond K. Berg  
 (elected Nov. '66)  
 Nicholas J. Bua  
 Felix M. Buoscio  
 David Cerda  
 (elected Nov. '66)  
 James K. Chelos  
 Harry G. Comerford  
 James M. Corcoran  
 Norman N. Eiger  
 Irving W. Eiserman  
 Saul A. Epton  
 James H. Felt  
 Irving Goldstein

Raymond G. Hall  
 John F. Hechinger  
 (elected Nov. '66)  
 Joseph B. Hermes  
 Charles P. Horan  
 Harry A. Iseberg  
 Leonard J. Jakes  
 Mel R. Jiganti  
 Glenn T. Johnson  
 (elected Nov. '66)  
 Mark E. Jones  
 Sidney A. Jones, Jr.  
 Nathan J. Kaplan  
 (elected Nov. '66)  
 Louis W. Kizas  
 Norman A. Korfist  
 Franklin I. Kral  
 Alvin J. Kvistad

David Lefkovits  
 Frank B. Machala  
 Nicholas J. Matkovic  
 Robert E. McAuliffe  
 Francis T. McCurrie  
 Carl W. McGehee  
 Helen F. McGillicuddy  
 Francis T. Moran  
 James E. Murphy  
 Richard A. Napolitano  
 Gordon B. Nash  
 Benjamin Nelson  
 Wayne W. Olson  
 John E. Pavlik  
 Harry H. Porter  
 Daniel J. Ryan  
 Edith S. Sampson  
 Edward G. Schultz

Maurice J. Schultz  
 Ben Schwartz  
 Anton A. Smigiel  
 James L. Sparing  
 Herbert R. Stoffels  
 (dec'd 8/28/66)  
 Chester J. Strzalka  
 Harold W. Sullivan  
 John J. Sullivan  
 Fred G. Suria, Jr.  
 Kenneth R. Wendt  
 Louis A. Wexler  
 Frank J. Wilson  
 Joseph M. Wosik  
 Arthur V. Zelezinski  
 (elected Nov. '66)

### Magistrates

Earl Arkiss  
 James M. Bailey  
 Peter Bakakos  
 Frank W. Barbaro  
 Lionel J. Bere  
 George A. Blakey  
 John O. Braeseke  
 Edwin T. Breen

Robert C. Buckley  
 Robert T. Casey  
 Paul G. Ceaser  
 Cornelius J. Collins  
 Francis X. Connell  
 Ronald James Crane  
 Joseph S. Czekala  
 Robert J. Dempsey  
 Russell J. Dolce  
 John T. Duffy

George B. Duggan  
 Arthur L. Dunne  
 Ben Edelstein  
 Carl F. Faust  
 Melvin Feldman  
 Irwin Field  
 John M. Flaherty  
 James A. Geocariss  
 Paul F. Gerrity  
 Louis J. Giliberto

Joseph R. Gill  
 Francis W. Glowacki  
 Meyer H. Goldstein  
 Ben Gorenstein  
 John J. Grealis  
 Richard D. Gumbel, Jr.  
 Jacob S. Guthman  
 Edwin C. Hatfield  
 James L. Henry  
 Louis J. Hyde

\* Chief Judge

## COOK COUNTY—(Continued)

Lowell H. Jacobson	Martin G. Luken	Paul A. O'Malley	Samuel Shamberg
Lester Jankowski	John E. Lundholm	Joseph F. O'Reilly	Frank M. Siracusa
Robert F. Jerrick	James Maher, Jr.	John A. Ouska	Jerome C. Slad
Eddie C. Johnson	Harry H. Malkin	Burton H. Palmer	Joseph A. Solan
Richard H. Jorzak	Erwin L. Martay	William F. Patterson	Robert C. Springsguth
Benjamin J. Kanter	James E. McBride	Marvin J. Peters	Adam N. Stillo
Wallace I. Kargman	J. Warren McCaffrey	James P. Piragine	Myrtle B. Stryker
Helen J. Kelleher	William J. McGah, Jr.	Bernard A. Polikoff	James N. Sullivan
John J. Kelly, Jr.	Glenn W. McGee	Maurice Pompey	Robert A. Sweeney
Irving Kipnis	John P. McGury	Simon Seymour Porter	John F. Thornton
Anthony J. Kogut	Dwight McKay	John F. Reynolds	Vincent W. Tondryk, Jr.
Burton A. Kolman	Robert A. Meier, III	Allen F. Rosin	Alvin A. Turner
(dec'd 2/24/67)	Joseph C. Mooney	Henry W. Sakawich	James M. Walton
Marilyn Rozmarek	John Joseph Moran	Joseph A. Salerno	Daniel John White
Komosa	William King Murphy	Raymond S. Sarnow	Willie Mae Whiting
Albert H. LaPlante	John William Navin	David S. Schaffer	Edwin L. Wojciak
Maurice W. Lee	Earl J. Neal	George M. Schatz	Ralph H. Young
John J. Limperis	James L. Oakey, Jr.	Joseph Schneider	James A. Zafiratos
Frank S. Loverde	Margaret Galvin O'Malley	Harry A. Schrier	George J. Zimmerman

### FIRST CIRCUIT

Circuit Judges	Associate Judges		Magistrates
Harold L. Zimmerman *	Albert R. Cagle	Jack C. Morris	Robert W. Schwartz
C. Ross Reynolds	John H. Clayton	George Oros	William C. Shannon
Clarence E. Wright	Stewart Cluster	(elected Nov. '66)	Robert Miles Williams
	Trafton Dennis	Robert B. Porter	(term expired 12/4/66)
	Lan Haney	Everett Prosser	
	Peyton H. Kuncie	Paul D. Reese	
	Harry L. McCabe	Carl H. Smith	
		Dorothy Wilbourn Spomer	
		R. Gerald Trampe	

### SECOND CIRCUIT

Circuit Judges	Associate Judges		Magistrates
Randall S. Quindry *	John D. Daily	F. P. (Frank) Hanagan	Everett Lewis
Roy O. Gulley	(elected Nov. '66)	William Webb Johnson	Charles Deneen Matthews
Charles E. Jones	Max Endicott	A. Hanby Jones	Ray Earl Wesner
	(resigned 12/4/66)	George W. Keener	
	William G. Eovaldi	(term expired 12/4/66)	
	Lester B. Fish	Henry Lewis	
	Don A. Foster	(elected Nov. '66)	
	C. Woodrow Frailey	Clarence E. Partee	
	(elected Nov. '66)	Bruce Saxe	
	Oren Gross	(elected Nov. '66)	
	(term expired 12/4/66)	Alvin Lacy Williams	
		Carrie L. Winter	
		Harry L. Ziegler	

### THIRD CIRCUIT

Circuit Judges	Associate Judges	Magistrates	
Joseph J. Barr *	Michael Kinney	Harold Oliver Gwillim	George Edward Roberts
Harold R. Clark	Austin A. Lewis	Merlin Gerald Hiscott	Thomas Mathew Welch
James O. Monroe, Jr.	Foss D. Meyer	William E. Johnson	
	Fred P. Schuman	Joseph T. Kelleher, Jr.	
	I. H. Streeper, III	A. Andreas Matoesian	

\* Chief Judge

#### FOURTH CIRCUIT

Circuit Judges	Associate Judges		Magistrate
Raymond O. Horn *	R. Prentiss Cosby	George R. Kelly	
Daniel H. Dailey	(term expired 12/4/66)	James E. McMachin, Jr.	Robert M. Washburn
Franklin R. Dove	Charles I. Fleming	Gail E. McWard	
	William A. Ginos, Jr.	Jack M. Michaelree	
	Arthur G. Henken	Robert J. Sanders	
	George W. Kasserman, Jr.	Bill J. Slater	
		E. Harold Wineland	
		(elected Nov. '66)	

#### FIFTH CIRCUIT

Circuit Judges	Associate Judges		Magistrates
John F. Spivey *	Zollie O. Arbogast, Jr.	William J. Sunderman	Thomas M. Burke
Robert F. Cotton	Jacob Berkowitz	James R. Watson	Mark Barksdale Hunt, Jr.
Harry I. Hannah	William J. Hill	(elected Nov. '66)	(resigned 7/31/66)
	(term expired 12/4/66)	Paul M. Wright	Matthew Andrew Jureczak
	James K. Robinson		Fred W. Prettyman
	Howard T. Ruff		Henri I. Ripstra
			John F. Twomey

#### SIXTH CIRCUIT

Circuit Judges	Associate Judges	Magistrates	
Birch E. Morgan *	William C. Calvin	Henry Lester Brinkoetter	Sarah McAllister Lumppp
Frederick S. Green	Burl A. Edie	Wilbur A. Flessner	Joseph C. Munch
Rodney A. Scott	Frank J. Gollings	Darrell Foster	James R. Palmer
Albert G. Webber, III	Roger H. Little	(dec'd 6/21/66)	John Payson Shonkwiler
(elected Nov. '66)	Robert W. Martin		George Richard Skillman
	Donald W. Morthland		Andrew Stecyk
	Harry L. Pate		
	Creed D. Tucker		
	(elected Nov. '66)		

#### SEVENTH CIRCUIT

Circuit Judges	Associate Judges	Magistrates	
Creel Douglass *	Francis J. Bergen	Patrick J. Cadigan	Claude C. Gustine
William H. Chamberlain	William D. Conway	John J. Casey	Charles C. McBrian
Clement L. Smith	George P. Coutrakon	(resigned 6/30/66)	Michael D. Polonius
Paul C. Verticchio	Byron E. Koch	Paul Fenstermaker	Jerry S. Rhodes
	L. A. Mehrhoff		Lawrence Swinyer
	Howard Lee White		
	John B. Wright		

#### EIGHTH CIRCUIT

Circuit Judges	Associate Judges		Magistrates
John T. Reardon *	Winthrop B. Anderson	Fred W. Reither	Leo J. Altmix
Maurice E. Barnes	Paul R. Durr	Edward D. Turner	Virgil William Timpe
(resigned 12/4/66)	Lyle E. Lipe	Ernest H. Utter	
Richard F. Scholz	J. Ross Pool	Lyle R. Wheeler	
Richard Mills	(elected Nov. '66)	(elected Nov. '66)	
(elected Nov. '66)			

\* Chief Judge

### NINTH CIRCUIT

#### Circuit Judges

Gale A. Mathers \*  
Burton A. Roeth  
(dec'd 6/23/66)  
Albert Scott  
(elected Nov. '66)  
Keith F. Scott

#### Associate Judges

Edwin Becker  
Ezra J. Clark  
John W. Gorby  
Earle A. Kloster  
Scott I. Klukos  
Francis P. Murphy  
Daniel J. Roberts

#### Magistrates

Dale Talman DeVore  
Jack R. Kirkpatrick  
James E. Murphy  
Russell A. Myers  
G. Durbin Ranney  
William K. Richardson  
Keith Sanderson

### TENTH CIRCUIT

#### Circuit Judges

John E. Richards \*  
John T. Culbertson, Jr.  
Henry J. Ingram  
Howard White

#### Associate Judges

Edward E. Haugens  
Robert E. Hunt  
Charles W. Iben  
Albert Pucci  
Charles M. Wilson  
Ivan L. Yontz

#### Magistrates

Harold Loren Arnold  
Robert Austin Coney  
Carl O. Davies  
John A. Holtzman  
Clarence D. Klatt  
David C. McCarthy

William John Reardon  
Willis L. Stamm  
(resigned 6/1/66)  
George Traicoff  
Espey C. Williamson

### ELEVENTH CIRCUIT

#### Circuit Judges

Leland Simkins \*  
R. Burnell Phillips  
Walter A. Yoder

#### Associate Judges

J. H. Benjamin  
Wilton Erlenborn  
Samuel Glenn Harrod, III  
(elected Nov. '66)

John T. McCullough  
Wendell E. Oliver

Don B. Pioletti  
(did not seek retention)  
Wayne C. Townley, Jr.

#### Magistrates

William Thomas Caisley  
Albert A. Grabs  
Lloyd E. Gutel  
George W. Hunt  
Ivan Dean Johnson  
Robert Leo Thornton

### TWELTH CIRCUIT

#### Circuit Judges

David E. Oram \*  
Victor N. Cardosi  
Robert E. Higgins  
(elected Nov. '66)  
Michael A. Orenic

#### Associate Judges

Robert F. Goodyear  
Stewart C. Hutchison  
Angelo F. Pistilli  
Herman W. Snow  
(elected Nov. '66)  
Irwin C. Taylor

#### Magistrates

Robert R. Buchar  
Charles P. Connor  
Emil DiLorenzo  
John F. Gnadinger  
Martin J. Jackson  
(resigned 12/5/66)

John C. Lang  
John F. Michela  
Sheldon W. Reagan  
Leslie V. Strickler  
(dec'd 2/24/67)  
Peter F. Swier  
John Verklin

### THIRTEENTH CIRCUIT

#### Circuit Judges

Howard C. Ryan \*  
Walter Dixon  
Leonard Hoffman

#### Associate Judges

Thomas R. Clydesdale  
Hobart W. Gunning  
Robert W. Malmquist  
John S. Massieon  
W. J. Wimbiscus

#### Magistrates

Fred Cronk  
William P. Denny  
Francis H. Gielow

Terrance B. Lyman  
Herman Ritter  
Wendell LeRoy Thompson  
Chester P. Winsor

\* Chief Judge

#### FOURTEENTH CIRCUIT

##### Circuit Judges

Dan H. McNeal \*  
George O. Hebel  
August J. Scheineman

##### Associate Judges

Robert M. Bell  
(elected Nov. '66)  
Charles H. Carlstrom  
Forest Dizotell  
John L. Poole  
Charles J. Smith  
Conway L. Spanton  
Julian P. Wilamoski  
L. L. Winn

##### Magistrates

Robert W. Boeye  
Walter Everett Clark  
John B. Cunningham  
Francis A. Dean  
John R. Erhart

Robert J. Horberg  
Ivan Lovaas  
Edwin C. Malone  
Ralph E. Stephenson  
Ben A. Stewart  
(resigned 12/31/66)

#### FIFTEENTH CIRCUIT

##### Circuit Judges

Marvin F. Burt \*  
James E. Bales  
(elected Nov. '66)  
Helen M. Rutkowski  
(elected Nov. '66)  
Leon A. Zick  
(resigned 12/5/66)

##### Associate Judges

John Dixon  
Wesley A. Eberle  
L. Melvin Gundry  
Frank A. Kerr  
(elected Nov. '66)  
Edward J. Turnbaugh

##### Magistrates

James R. Hansgen  
William E. Kintzel  
Chester A. Landers  
Morey C. Pires  
Robert Raymond Roth  
(resigned 12/31/66)  
James M. Thorp

#### SIXTEENTH CIRCUIT

##### Circuit Judges

Charles G. Seidel \*  
John S. Petersen  
Cassius Poust

##### Associate Judges

John A. Krause  
Neil E. Mahoney  
Ross E. Millet  
John S. Page  
Robert J. Sears  
Carl A. Swanson, Jr.  
Dan B. Withers, Jr.

##### Magistrates

Donald T. Anderson  
Allan O. Brady  
(term expired 4/19/66)

John Joseph Chivari  
Harold D. Nealis, Jr.  
DeEstin LeRoy Pasley  
Carlyle B. Whipple  
Albert N. Zettinger

#### SEVENTEENTH CIRCUIT

##### Circuit Judges

Albert S. O'Sullivan \*  
Arthur V. Essington  
Fred J. Kullberg

##### Associate Judges

Seely P. Forbes  
John S. Ghent, Jr.  
Harold C. Sewell

##### Magistrates

Robert Arthur Blodgett  
Robert G. Coplan  
Robert Guido Gemignani

Ralph Henry Haen  
Stuart C. Hyer  
Edwin John Kotche  
Robert Elwood Leake

#### EIGHTEENTH CIRCUIT

##### Circuit Judges

Bert E. Rathje \*  
William C. Atten  
William J. Bauer  
Philip F. Locke

##### Associate Judges

William L. Guild  
Leroy L. Rechenmacher

##### Magistrates

Fred N. Banister, Sr.  
George Herbert Bunge  
Walter Bard Carroll  
(resigned 5/31/66)  
Wence F. Cerne  
Beryl H. Childs  
Bruce R. Fawell

James E. Fitzgerald  
Marvin E. Johnson  
Gordon Moffett  
Robert A. Nolan  
Jack T. Parish  
Lester P. Reiff  
Edward Van de Houten, Jr.  
(resigned 11/30/66)

\* Chief Judge



## NINETEENTH CIRCUIT

### Circuit Judges

Glenn K. Seidenfeld \*  
William M. Carroll  
LaVerne A. Dixon  
Philip W. Yager

### Associate Judges

L. Eric Carey  
James H. Cooney  
Minard E. Hulse  
(did not seek retention)  
Charles S. Parker  
Harry D. Strouse, Jr.  
(elected Nov. '66)  
Lloyd A. Van Deusen  
(elected Nov. '66)

### Magistrates

Anthony Bobrowski  
Eugene T. Daly  
Thomas R. Doran  
William Joseph Gleason  
Paul R. Hatten  
John L. Hughes  
Bernard J. Juron  
John J. Kaufman

Paul C. Kilkelly  
Cyrus Mead, III  
Peter L. Melius  
Nello Ori  
Andrew A. Semmelman  
(resigned 9/1/66)  
Charles T. Smith  
Wallace W. Sturtz  
(resigned 3/31/66)

## TWENTIETH CIRCUIT

### Circuit Judges

Richard T. Carter \*  
Harold O. Farmer  
Joseph E. Fleming  
Quinten Spivey

### Associate Judges

Robert E. Bastien  
Carl H. Becker  
Walter W. Finke  
(term expired 12/4/66)  
William P. Fleming  
James W. Gray  
John M. Karns

Alvin H. Maeys, Jr.  
Francis E. Maxwell  
(elected Nov. '66)  
Joseph A. Troy

### Magistrates

Virgil L. Calvert  
Robert E. Costello  
Joseph F. Cunningham

John T. Fiedler  
Barney E. Johnston  
Billy Jones  
Vaharam Norsigian  
Robert Blackburn Rutledge, Jr.  
George H. Sansom  
Robert Franklin Small  
James F. Wheatley

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\* Chief Judge

**NUMBER OF CASES BEGUN<sup>1</sup> AND TERMINATED IN THE CIRCUIT COURTS DURING 1966**

Circuit	County		Law Over \$5000		Law Under \$5000		Small Claims	Tax	Con- dem- nation	Miscel- laneous Remedies	Chancery	Family	Divorce	Probate	Felony	Misde- meanors	Ordi- nance Viola- tions	Traffic	Total
			Jury	Non- Jury	Jury	Non- Jury													
1st....	Cook.....	Begun.....	16,379	6,111	12,086	75,513	92,375	66,282	233	6,120	7,793	60,403	22,623	11,909	4,818	216,268	.....	1,135,291	1,734,204
		Terminated..	15,827	4,945	12,668	73,130	90,735	77,614	226	6,256	8,642	69,951	21,717	10,612	4,560	210,391	.....	1,167,062	1,774,336
	Alexander...	Begun.....	16	6	5	35	57	53	.....	84	8	148	59	51	34	544	456	1,983	3,539
		Terminated..	11	11	5	21	47	114	.....	78	9	114	46	53	26	511	456	1,987	3,489
	Jackson.....	Begun.....	47	34	4	115	517	1,034	2	47	30	135	153	159	69	456	741	3,043	6,586
		Terminated..	49	23	27	172	512	1,025	2	21	38	70	140	64	45	416	753	3,083	6,440
	Johnson.....	Begun.....	8	2	3	12	90	12	2	5	3	1	12	14	15	22	.....	479	680
		Terminated..	9	2	6	9	73	6	2	5	2	.....	9	13	15	20	.....	506	677
	Massac.....	Begun.....	1	5	1	25	147	16	1	30	4	58	79	49	34	235	351	661	1,697
		Terminated..	6	3	3	38	172	19	1	47	8	77	80	92	43	233	367	690	1,879
	Pope.....	Begun.....	1	.....	1	2	4	7	1	.....	4	1	6	10	5	43	.....	271	356
		Terminated..	1	.....	3	4	6	7	.....	.....	3	1	9	11	8	43	.....	262	358
	Pulaski.....	Begun.....	4	1	1	11	38	3	6	.....	8	58	29	36	5	64	.....	700	964
		Terminated..	3	2	1	33	39	5	8	.....	11	67	24	30	5	140	.....	716	1,084
	Saline.....	Begun.....	30	1	4	92	304	7	1	1	25	50	104	87	14	312	437	971	2,440
		Terminated..	31	4	5	77	332	.....	.....	1	24	54	103	76	10	320	417	887	2,341
	Union.....	Begun.....	19	4	.....	36	50	5	1	47	5	9	44	*80	12	186	261	1,499	2,258
		Terminated..	6	4	5	48	29	7	2	48	4	3	40	31	24	223	249	1,448	2,171
	Williamson..	Begun.....	104	23	19	129	340	52	12	116	61	196	211	128	144	526	363	2,071	4,495
		Terminated..	80	33	19	102	275	48	15	118	80	215	238	92	136	467	369	2,122	4,409
Total for Circuit.....		Begun.....	230	76	38	457	1,547	1,189	26	330	148	656	697	614	332	2,388	2,609	11,678	23,015
		Terminated..	196	82	74	504	1,485	1,231	30	318	179	601	689	462	312	2,373	2,611	11,701	22,848

2nd....	Crawford....	Begun.....	6	5	1	50	232	5	.....	1	12	33	63	91	12	77	310	736	1,634
		Terminated..	3	6	1	53	197	.....	.....	.....	16	24	63	62	9	64	299	689	1,486
	Edwards....	Begun.....	3	3	.....	3	48	18	2	8	3	10	13	35	2	20	11	597	776
		Terminated..	1	.....	.....	3	36	14	2	6	3	7	9	43	1	12	13	561	711
	Franklin....	Begun.....	53	9	21	53	208	2	5	.....	43	67	122	117	141	342	745	1,427	3,355
		Terminated..	28	11	10	34	249	.....	6	.....	32	26	119	80	159	332	741	834	2,661
	Gallatin....	Begun.....	6	2	2	15	27	4	1	2	16	17	34	23	26	157	304	421	1,057
		Terminated..	6	2	2	25	31	4	.....	1	14	14	34	15	35	125	316	444	1,068
	Hamilton....	Begun.....	5	2	4	30	133	13	.....	3	16	8	19	31	9	68	.....	756	1,097
		Terminated..	5	1	7	34	128	13	.....	2	11	1	15	41	22	55	.....	728	1,063
	Hardin.....	Begun.....	4	.....	4	4	14	2	.....	.....	2	6	27	8	4	5	7	125	212
		Terminated..	4	.....	1	5	15	2	.....	.....	3	7	30	9	3	5	7	126	217
	Jefferson....	Begun.....	29	16	5	98	397	24	5	79	45	44	108	123	47	159	263	1,107	2,549
		Terminated..	34	15	13	111	349	35	5	97	45	66	89	73	92	259	261	1,106	2,650
	Lawrence....	Begun.....	18	11	2	37	219	14	2	20	17	2	46	90	22	68	.....	1,083	1,651
		Terminated..	17	8	6	17	112	9	1	21	14	1	35	35	20	50	.....	960	1,306
	Richland....	Begun.....	6	14	5	77	194	2	.....	11	24	35	58	60	15	98	.....	797	1,396
		Terminated..	4	10	6	67	133	1	2	12	23	43	55	47	8	71	.....	701	1,183
	Wabash.....	Begun.....	6	8	1	75	304	6	1	.....	20	13	39	69	32	74	4	714	1,366
		Terminated..	4	8	1	67	322	2	.....	4	16	21	39	44	19	58	4	637	1,246
	Wayne.....	Begun.....	4	9	4	60	220	.....	.....	.....	39	36	50	78	1	106	38	956	1,601
		Terminated..	3	8	2	56	171	.....	.....	.....	22	11	43	35	1	89	31	803	1,275
	White.....	Begun.....	8	13	2	50	171	9	.....	3	24	51	62	95	20	253	41	1,325	2,127
		Terminated..	5	10	3	53	180	13	.....	7	27	44	69	72	26	309	31	1,267	2,116
Total for Circuit.....		Begun.....	148	92	51	552	2,167	99	16	127	261	322	641	820	331	1,427	1,723	10,044	18,821
		Terminated..	114	79	52	525	1,923	93	16	150	226	265	600	556	395	1,429	1,703	8,856	16,982

# NUMBER OF CASES BEGUN<sup>1</sup> AND TERMINATED IN THE CIRCUIT COURTS DURING 1966

Circuit	County		Law Over \$5000		Law Under \$5000		Small Claims	Tax	Con- dem- nation	Miscel- laneous Remedies	Chancery	Family	Divorce	Probate	Felony	Misde- meanors	Ordi- nance Viola- tions	Traffic	Total
			Jury	Non- Jury	Jury	Non- Jury													
3rd.....	Bond.....	Begun.....	23	4	1	51	189	32	4	1	3	36	35	42	6	101	2	670	1,200
		Terminated..	9	4	1	47	166	35	4	4	1	32	20	55	6	88	2	665	1,139
	Madison.....	Begun.....	600	459	215	986	3,658	158	21	727	202	533	1,113	623	143	.....	5,342	13,511	28,291
		Terminated..	549	379	236	889	3,454	172	8	651	161	631	1,185	443	202	.....	4,930	13,103	26,993
	Total for Circuit.....	Begun.....	623	463	216	1,037	3,847	190	25	728	205	569	1,148	665	149	101	5,344	14,181	29,491
		Terminated..	558	383	237	936	3,620	207	12	655	162	663	1,205	498	208	88	4,932	13,768	28,132
4th.....	Christian.....	Begun.....	34	12	15	182	538	13	3	7	33	105	164	384	50	406	103	1,793	3,842
		Terminated..	21	6	25	167	503	13	5	6	19	92	131	274	67	561	61	1,626	3,577
	Clay.....	Begun.....	3	7	6	51	178	17	4	15	19	37	31	47	3	218	68	956	1,660
		Terminated..	11	4	11	41	131	4	7	3	12	37	25	70	1	228	50	863	1,498
	Clinton.....	Begun.....	21	8	4	48	173	8	2	8	10	19	13	10	4	66	.....	1,128	1,522
		Terminated..	14	6	2	34	254	13	2	8	2	2	26	3	3	59	.....	1,096	1,524
	Effingham....	Begun.....	7	7	6	61	429	130	.....	29	14	33	38	166	11	172	.....	1,558	2,661
		Terminated..	11	5	4	39	435	101	.....	26	3	15	38	95	9	153	.....	1,649	2,583
	Fayette.....	Begun.....	16	12	2	68	204	6	4	33	13	44	41	145	26	110	10	1,139	1,873
		Terminated..	10	7	5	45	238	1	8	37	8	26	33	258	20	119	8	1,130	1,953
	Jasper.....	Begun.....	9	6	3	27	123	.....	.....	3	12	8	10	46	2	18	.....	253	520
		Terminated..	7	3	1	21	113	.....	.....	3	6	7	9	33	3	17	.....	244	467
	Marion.....	Begun.....	32	12	5	223	396	.....	.....	.....	32	35	82	172	58	230	515	2,812	4,604
		Terminated..	31	8	.....	149	422	.....	.....	.....	21	39	81	95	46	314	517	2,843	4,566
	Montgomery..	Begun.....	19	12	8	87	337	34	1	8	20	48	64	205	33	191	.....	2,680	3,747
		Terminated..	15	8	4	73	344	41	.....	8	9	5	49	103	34	165	.....	2,427	3,285
	Shelby.....	Begun.....	11	4	2	36	149	7	.....	21	8	28	31	152	6	103	137	693	1,388
		Terminated..	4	5	3	38	140	6	.....	24	12	10	44	101	1	74	118	654	1,234
	Total for Circuit.....	Begun.....	152	80	51	783	2,527	215	14	124	161	357	474	1,327	193	1,514	833	13,012	21,817
		Terminated..	124	52	55	607	2,580	179	22	115	92	233	436	1,032	184	1,690	754	12,532	20,687

5th....	Clark.....	Begun.....	6	9	1	25	164	7	1	4	13	46	39	93	12	161	4	1,671	2,256
		Terminated..	10	8	1	21	210	7	1	8	17	43	33	73	9	223	3	1,586	2,253
	Coles.....	Begun.....	30	34	11	177	620	7	4	13	32	113	171	305	69	187	587	1,902	4,262
		Terminated..	58	24	13	184	705	7	4	18	33	137	160	166	63	247	587	1,902	4,308
	Cumberland..	Begun.....	4	1	.....	20	36	.....	1	4	7	10	9	20	2	126	.....	397	637
		Terminated..	3	1	.....	50	61	.....	1	.....	4	2	4	.....	4	93	.....	412	635
	Edgar.....	Begun.....	14	7	1	69	269	7	.....	30	15	92	74	164	44	289	28	1,228	2,331
		Terminated..	9	5	.....	59	281	5	1	29	6	66	63	137	28	270	25	1,203	2,187
	Vermilion....	Begun.....	104	24	20	476	622	.....	4	118	50	594	417	431	77	1,123	1,714	7,127	12,901
		Terminated..	98	9	15	361	576	.....	2	56	28	195	412	350	205	926	1,772	6,309	11,314
	Total for Circuit.....	Begun.....	158	75	33	767	1,711	21	10	169	117	855	710	1,013	204	1,886	2,333	12,325	22,387
		Terminated..	178	47	29	675	1,833	19	9	111	88	443	672	726	309	1,759	2,387	11,412	20,697
6th....	Champaign..	Begun.....	161	61	71	761	949	21	16	166	97	494	527	571	406	2,575	1,633	11,211	19,720
		Terminated..	171	38	79	566	736	8	11	125	81	244	458	326	195	2,458	1,463	11,328	18,287
	DeWitt.....	Begun.....	22	3	4	72	95	111	2	9	18	96	50	182	39	178	12	780	1,673
		Terminated..	15	3	7	59	86	125	.....	5	12	73	41	171	32	189	8	702	1,528
	Douglas.....	Begun.....	10	1	2	48	454	10	2	46	15	49	49	102	13	301	3	1,596	2,701
		Terminated..	7	2	3	22	297	1	2	18	3	12	43	99	7	231	3	1,583	2,333
	Macon.....	Begun.....	308	375	291	613	2,670	231	3	185	236	196	389	527	339	1,499	508	8,127	16,497
		Terminated..	510	368	424	705	3,556	381	1	183	206	178	558	401	355	1,520	666	8,247	18,259
	Moultrie....	Begun.....	3	9	1	77	149	9	1	17	17	14	37	79	18	24	103	518	1,076
		Terminated..	4	1	4	40	159	.....	.....	7	14	15	32	67	18	27	94	506	988
	Piatt.....	Begun.....	6	4	3	32	91	5	.....	12	9	24	54	87	20	106	36	1,206	1,695
		Terminated..	5	3	4	25	66	3	.....	8	11	25	58	97	10	100	35	1,146	1,596
	Total for Circuit.....	Begun.....	510	453	372	1,603	4,408	387	24	435	392	873	1,106	1,548	835	4,683	2,295	23,438	43,362
		Terminated..	712	415	521	1,417	4,900	518	14	346	327	547	1,190	1,161	617	4,525	2,269	23,512	42,991



NUMBER OF CASES BEGUN<sup>1</sup> AND TERMINATED IN THE CIRCUIT COURTS DURING 1966

Circuit	County		Law Over \$5000		Law Under \$5000		Small Claims	Tax	Condemnation	Miscellaneous Remedies	Chancery	Family	Divorce	Probate	Felony	Misdemeanors	Ordinance Violations	Traffic	Total
			Jury	Non-Jury	Jury	Non-Jury													
7th....	Greene.....	Begun.....	7	4	3	58	219	5	.....	3	10	18	46	95	11	128	.....	838	1,445
		Terminated..	3	4	4	36	224	11	1	2	6	13	39	94	4	129	.....	820	1,390
	Jersey.....	Begun.....	10	4	5	65	447	.....	.....	3	12	54	61	74	29	206	5	1,043	2,018
		Terminated..	12	3	4	54	879	.....	.....	2	13	10	62	44	26	271	5	1,036	2,421
	Macoupin...	Begun.....	27	5	11	133	495	.....	4	5	26	.....	127	242	19	697	.....	1,373	3,164
		Terminated..	3	20	1	129	421	.....	.....	5	15	.....	126	203	17	376	.....	1,313	2,629
	Morgan.....	Begun.....	30	6	17	106	186	127	.....	5	28	36	70	161	33	237	42	1,719	2,803
		Terminated..	44	18	26	160	159	69	2	32	113	27	120	192	45	387	56	1,722	3,172
	Sangamon...	Begun.....	148	101	17	1,205	1,367	63	25	246	118	717	677	1,066	152	5	2,793	19,109	27,809
		Terminated..	71	199	42	1,802	1,523	53	40	385	180	652	742	821	149	3	2,753	18,494	27,909
	Scott.....	Begun.....	.....	1	.....	12	51	2	.....	2	4	7	12	26	2	24	9	129	281
		Terminated..	.....	.....	1	6	21	.....	.....	.....	6	.....	8	39	1	13	3	114	212
Total for Circuit.....		Begun.....	222	121	53	1,579	2,765	197	29	264	198	832	993	1,664	246	1,297	2,849	24,211	37,520
		Terminated..	133	244	78	2,187	3,227	133	43	426	333	702	1,097	1,393	242	1,179	2,817	23,499	37,733
8th....	Adams.....	Begun.....	67	37	51	341	246	189	7	20	30	252	293	353	107	227	1,113	3,796	7,129
		Terminated..	50	29	62	310	249	212	5	26	37	212	276	239	93	258	1,134	3,907	7,099
	Brown.....	Begun.....	1	.....	.....	29	43	1	4	4	2	4	10	28	9	36	2	319	492
		Terminated..	1	.....	.....	25	40	2	3	2	5	3	9	20	5	33	2	362	512
	Calhoun.....	Begun.....	6	4	3	17	25	.....	.....	33	2	14	11	27	2	105	.....	314	563
		Terminated..	2	2	2	4	20	.....	.....	23	3	10	11	16	1	85	.....	302	481
	Cass.....	Begun.....	8	1	3	39	259	5	.....	6	6	44	36	71	12	161	4	914	1,569
		Terminated..	7	6	1	42	206	6	1	8	10	24	33	78	22	114	1	901	1,460
	Mason.....	Begun.....	16	5	5	70	103	4	3	3	7	70	52	82	24	238	35	837	1,554
		Terminated..	15	6	15	104	112	33	4	3	19	76	43	97	32	258	33	848	1,698
	Menard.....	Begun.....	8	8	3	18	303	3	.....	4	7	16	10	74	4	47	.....	469	974
		Terminated..	8	7	1	17	317	7	.....	4	3	16	9	55	7	46	.....	465	962

Total for Circuit.....	Pike.....	Begun.....	8	4	3	67	128	10	4	1	26	30	37	123	12	273	12	2,023	2,761	
		Terminated..	11	2	2	52	47	.....	.....	1	23	1	37	43	10	286	11	1,902	2,428	
	Schuyler....	Begun.....	3	.....	2	36	54	3	3	1	6	13	32	41	.....	61	36	954	1,245	
		Terminated..	8	.....	3	30	51	1	2	3	4	9	30	54	1	47	33	940	1,216	
	Total for Circuit.....	Begun.....	117	59	70	617	1,161	215	21	72	86	443	481	799	170	1,148	1,202	9,626	16,287	
		Terminated..	102	52	86	584	1,042	261	15	70	104	351	448	602	171	1,127	1,214	9,627	15,856	
	9th....	Fulton.....	Begun.....	52	11	14	149	219	1,277	1	33	16	109	135	227	25	202	349	2,264	5,083
			Terminated..	46	16	8	157	230	1,440	1	26	23	51	124	170	48	207	355	2,084	4,986
		Hancock....	Begun.....	13	6	4	49	167	204	1	22	12	49	39	168	8	225	53	1,489	2,509
			Terminated..	15	6	8	44	270	202	2	16	42	41	44	116	5	265	63	1,488	2,627
Henderson...		Begun.....	6	4	.....	17	88	4	.....	1	37	22	29	42	11	140	334	707	1,442	
		Terminated..	1	6	1	21	105	3	.....	1	17	13	27	48	8	125	331	671	1,378	
Knox.....		Begun.....	45	19	32	373	208	138	5	164	32	139	293	291	64	604	1,038	3,402	6,847	
		Terminated..	38	27	15	309	277	142	5	319	51	161	289	278	37	535	1,051	3,359	6,893	
McDonough..		Begun.....	20	4	11	83	98	208	3	34	25	33	71	171	26	198	308	2,566	3,859	
		Terminated..	14	5	8	134	138	207	.....	64	27	20	85	130	23	254	328	2,563	4,000	
Warren.....		Begun.....	14	2	8	93	242	8	.....	5	6	31	54	128	13	327	322	1,743	2,996	
		Terminated..	9	5	11	77	239	31	.....	4	16	26	60	31	15	332	304	1,686	2,846	
Total for Circuit.....	Begun.....	150	46	69	764	1,022	1,839	10	259	128	383	621	1,027	147	1,696	2,404	12,171	22,736		
	Terminated..	123	65	51	742	1,259	2,025	8	430	176	312	629	773	136	1,718	2,432	11,851	22,730		
10th....	Marshall....	Begun.....	8	6	3	34	19	4	1	13	10	11	18	91	.....	62	39	408	727	
		Terminated..	4	8	.....	16	81	.....	.....	3	8	6	10	63	.....	48	38	401	686	
	Peoria.....	Begun.....	456	98	99	1,397	1,780	728	12	844	143	570	1,149	658	190	3,333	3,260	16,857	31,574	
		Terminated..	429	76	136	1,280	2,114	945	10	823	263	757	1,216	449	143	2,987	3,263	16,850	31,741	
	Putnam.....	Begun.....	3	1	1	11	5	.....	1	2	4	5	6	20	2	38	.....	122	221	
		Terminated..	8	2	1	11	6	.....	1	6	5	5	8	17	1	33	.....	116	220	
	Stark.....	Begun.....	4	4	1	23	50	4	.....	2	4	10	13	48	6	43	33	117	362	
		Terminated..	5	3	2	16	40	1	.....	.....	2	4	15	54	3	33	30	98	306	
	Tazewell....	Begun.....	181	22	32	547	405	275	3	69	78	344	464	275	106	753	564	11,082	15,200	
		Terminated..	155	15	17	505	437	219	1	42	101	227	442	217	112	856	550	11,363	15,259	
Total for Circuit.....	Begun.....	652	131	136	2,012	2,259	1,011	17	930	239	940	1,650	1,092	304	4,229	3,896	28,586	48,084		
	Terminated..	601	104	156	1,828	2,678	1,165	12	874	379	999	1,691	800	259	3,957	3,881	28,828	48,212		

**NUMBER OF CASES BEGUN<sup>1</sup> AND TERMINATED IN THE CIRCUIT COURTS DURING 1966**

Circuit	County		Law Over \$5000		Law Under \$5000		Small Claims	Tax	Con- dem- nation	Miscel- laneous Remedies	Chancery	Family	Divorce	Probate	Felony	Misde- meanors	Ordi- nance Viola- tions	Traffic	Total	
			Jury	Non- Jury	Jury	Non- Jury														
11th...	Ford.....	Begun.....	15	7	4	56	33	5	.....	4	9	25	29	94	.....	180	72	1,081	1,614	
		Terminated..	10	7	5	58	20	5	.....	5	12	9	34	80	1	176	71	1,066	1,559	
	Livingston...	Begun.....	34	9	9	116	220	111	1	52	30	100	89	268	35	153	77	6,509	7,813	
		Terminated..	27	10	12	102	171	105	1	48	32	86	69	158	27	143	51	5,962	7,004	
	Logan.....	Begun.....	36	12	7	153	475	12	.....	12	18	58	98	138	6	331	175	3,830	5,361	
		Terminated..	11	18	9	166	445	9	.....	7	15	37	88	117	6	306	201	3,663	5,098	
	McLean.....	Begun.....	158	67	56	879	917	343	15	27	79	258	410	497	94	964	1,108	8,173	14,045	
		Terminated..	136	50	71	750	949	383	47	26	111	381	418	364	92	858	1,181	8,089	13,906	
	Woodford...	Begun.....	16	4	3	85	62	17	1	3	17	28	36	135	52	298	15	1,371	2,143	
		Terminated..	17	1	4	68	39	36	1	2	9	54	33	107	56	316	12	1,330	2,085	
Total for Circuit.....	Begun.....		259	99	79	1,289	1,707	488	17	98	153	469	662	1,132	187	1,926	1,447	20,964	30,976	
	Terminated..		201	86	101	1,144	1,624	538	49	88	179	567	642	826	182	1,799	1,516	20,110	29,652	
12th...	Iroquois.....	Begun.....	26	14	8	104	207	4	19	2	18	79	65	204	54	668	.....	3,432	4,904	
		Terminated..	21	14	7	341	188	6	16	6	73	105	77	198	50	641	.....	3,520	5,264	
	Kankakee...	Begun.....	54	42	21	1,010	478	34	51	328	126	250	314	302	106	1,200	1	8,245	12,562	
		Terminated..	70	78	29	1,072	552	11	4	310	26	272	283	329	88	1,638	.....	7,904	12,666	
	Will.....	Begun.....	347	227	53	1,216	823	779	56	275	281	446	759	440	19	1,044	2,056	22,443	31,264	
		Terminated..	142	96	79	1,046	759	832	27	209	235	232	691	375	19	1,063	2,037	22,596	30,438	
	Total for Circuit.....	Begun.....		427	283	82	2,330	1,508	817	126	605	425	775	1,138	946	179	2,912	2,057	34,120	48,730
		Terminated..		233	188	115	2,459	1,499	849	47	525	334	609	1,051	902	158	3,342	2,037	34,020	48,368
13th...	Bureau.....	Begun.....	42	14	9	125	236	109	1	39	17	57	98	204	46	226	87	2,227	3,537	
		Terminated..	55	18	12	130	174	113	4	36	18	53	97	194	38	208	87	2,248	3,485	
	Grundy.....	Begun.....	20	11	8	66	131	7	.....	8	18	59	72	123	40	277	26	1,292	2,158	
		Terminated..	13	5	5	64	125	49	1	7	14	72	68	88	31	285	26	1,297	2,150	
	LaSalle.....	Begun.....	177	53	54	573	830	1,557	8	98	127	261	369	438	64	1,036	846	8,346	14,837	
		Terminated..	148	25	24	612	800	1,360	13	55	66	352	303	359	62	935	853	8,159	14,126	
	Total for Circuit.....	Begun.....		239	78	71	764	1,197	1,673	9	145	162	377	539	765	150	1,539	959	11,865	20,532
		Terminated..		216	48	41	806	1,099	1,522	18	98	98	477	468	641	131	1,428	966	11,704	19,761

14th...	Henry.....	Begun.....	47	17	12	166	449	34	5	23	21	117	113	264	39	400	349	5,491	7,547
		Terminated..	35	14	15	138	412	48	10	14	41	30	110	148	38	356	334	5,460	7,203
	Mercer.....	Begun.....	5	3	3	102	187	5	.....	26	6	30	44	118	10	244	1	482	1,266
		Terminated..	3	3	5	100	195	1	.....	20	10	20	37	54	8	239	2	459	1,156
	Rock Island..	Begun.....	233	68	61	1,937	2,340	976	34	365	76	880	1,179	633	180	3,810	1,403	22,718	36,893
		Terminated..	206	42	74	1,987	2,354	1,207	39	370	82	826	1,188	556	156	3,702	1,242	22,322	36,353
	Whiteside...	Begun.....	42	18	10	322	533	41	8	39	37	233	250	293	78	982	27	5,214	8,127
		Terminated..	33	17	9	314	552	33	13	31	40	232	203	222	53	907	26	5,211	7,896
Total for Circuit.....	Begun.....		327	106	86	2,527	3,509	1,056	47	453	140	1,260	1,586	1,308	307	5,436	1,780	33,905	53,833
	Terminated..		277	76	103	2,539	3,513	1,289	62	435	173	1,108	1,538	980	255	5,204	1,604	33,452	52,608
15th...	Carroll.....	Begun.....	18	5	1	43	91	3	.....	25	5	98	48	104	22	371	215	986	2,035
		Terminated..	14	8	2	41	75	10	.....	27	16	50	61	70	27	356	215	973	1,945
	JoDavies...	Begun.....	9	4	3	56	172	9	.....	19	16	80	35	133	21	384	390	2,009	3,340
		Terminated..	6	3	4	59	164	7	1	5	18	62	43	105	18	400	407	1,971	3,273
	Lee.....	Begun.....	28	12	2	172	383	228	3	39	14	88	99	137	40	422	110	3,890	5,667
		Terminated..	33	8	5	109	385	164	1	40	15	70	83	144	34	408	89	3,764	5,352
	Ogle.....	Begun.....	22	13	8	134	872	6	.....	11	33	76	145	167	30	153	.....	6,813	8,483
		Terminated..	35	5	4	122	739	30	.....	3	24	9	126	108	60	122	.....	6,294	7,681
Total for Circuit.....	Stephenson...	Begun.....	26	8	4	72	998	23	.....	13	22	153	159	273	84	733	587	5,145	8,300
		Terminated..	27	4	3	66	1,131	11	.....	6	17	65	154	253	42	632	488	4,855	7,754
	Begun.....		103	42	18	477	2,516	269	3	107	90	495	486	814	197	2,063	1,302	18,843	27,825
	Terminated..		115	28	18	397	2,494	222	2	81	90	256	467	680	181	1,918	1,199	17,857	26,005
16th...	DeKalb.....	Begun.....	39	23	4	266	271	62	17	20	19	112	185	245	115	1,009	112	4,626	7,125
		Terminated..	66	28	11	245	188	106	15	14	25	47	172	198	86	886	116	4,234	6,437
	Kane.....	Begun.....	384	130	159	1,641	1,584	1,157	11	749	196	730	936	704	169	4,344	2,245	24,126	39,265
		Terminated..	477	179	138	1,699	1,210	1,141	10	855	331	661	984	894	193	4,621	2,302	24,349	40,044
	Kendall.....	Begun.....	24	4	12	63	134	9	1	16	40	58	76	77	47	349	8	1,602	2,520
		Terminated..	24	4	12	37	182	4	1	15	20	30	76	55	45	233	1	1,554	2,293
	Begun.....		447	157	175	1,970	1,989	1,228	29	785	255	900	1,197	1,026	331	5,702	2,365	30,354	48,910
	Terminated..		567	211	161	1,981	1,580	1,251	26	884	376	738	1,232	1,147	324	5,740	2,419	30,137	48,774

**NUMBER OF CASES BEGUN<sup>1</sup> AND TERMINATED IN THE CIRCUIT COURTS DURING 1966**

Circuit	County		Law Over \$5000		Law Under \$5000		Small Claims	Tax	Con- dem- nation	Miscel- laneous Remedies	Chancery	Family	Divorce	Probate	Felony	Misde- meanors	Ordi- nance Viola- tions	Traffic	Total
			Jury	Non- Jury	Jury	Non- Jury													
17th...	Boone.....	Begun.....	15	11	1	126	244	24	1	6	17	67	89	85	14	624	810	2,044	4,178
		Terminated..	23	14	4	95	204	5	.....	4	6	36	71	65	16	566	846	1,986	3,941
	Winnebago..	Begun.....	250	123	64	1,608	6,796	215	16	293	216	1,221	1,276	748	140	1,783	591	27,859	43,199
		Terminated..	233	93	54	1,607	5,881	36	8	293	150	584	1,151	657	96	1,576	591	28,187	41,197
	Total for Circuit.....	Begun.....	265	134	65	1,734	7,040	239	17	299	233	1,288	1,365	833	154	2,407	1,401	29,903	47,377
		Terminated..	256	107	58	1,702	6,085	41	8	297	156	620	1,222	722	112	2,142	1,437	30,173	45,138
18th...	DuPage.....	Begun.....	704	349	284	2,094	1,116	12,407	21	92	499	765	1,019	650	535	5,762	12,372	20,421	59,090
		Terminated..	583	164	144	1,577	1,151	29,308	11	59	432	579	910	488	482	5,412	11,104	20,801	73,205
19th...	Lake.....	Begun.....	686	314	100	2,106	1,637	651	15	349	411	1,281	1,205	1,065	114	2,992	5,599	37,741	56,266
		Terminated..	585	199	82	2,202	1,508	637	10	390	466	1,494	1,233	1,155	96	3,059	5,224	36,673	55,013
	McHenry....	Begun.....	142	26	14	731	4,785	379	4	75	91	193	300	324	50	897	436	7,372	15,819
		Terminated..	136	33	32	645	5,075	313	2	65	102	136	257	319	67	822	434	7,231	15,669
	Total for Circuit.....	Begun.....	828	340	114	2,837	6,422	1,030	19	424	502	1,474	1,505	1,389	164	3,889	6,035	45,113	72,085
		Terminated..	721	232	114	2,847	6,583	950	12	455	568	1,630	1,490	1,474	163	3,881	5,658	43,904	70,682

20th...	Monroe.....	Begun.....	12	12	5	33	76	292	13	1	7	12	29	74	1	138	2	960	1,667
		Terminated..	17	6	10	57	111	368	11	1	12	9	27	96	.....	108	3	956	1,792
	Perry.....	Begun.....	19	5	5	43	123	16	1	3	12	28	45	70	21	62	77	1,333	1,863
		Terminated..	22	2	11	55	129	25	4	2	4	29	46	74	20	73	73	946	1,515
	Randolph....	Begun.....	9	15	4	49	371	7	1	508	7	75	40	95	14	178	13	1,335	2,721
		Terminated..	19	4	24	45	442	5	1	570	4	83	64	74	20	231	11	1,400	2,997
	St. Clair.....	Begun.....	674	197	85	1,262	2,926	2,605	2	408	240	1,626	1,052	953	335	1	3,295	14,064	29,725
		Terminated..	620	57	191	875	3,193	2,215	3	227	142	2,210	896	4,743	216	1	3,065	13,690	32,344
	Washington..	Begun.....	6	3	3	14	106	7	1	11	13	12	20	71	.....	52	.....	785	1,104
		Terminated..	3	.....	.....	13	135	9	.....	10	7	10	24	78	.....	53	.....	801	1,143
	Total for Circuit.....	Begun.....	720	232	102	1,401	3,602	2,927	18	931	279	1,753	1,186	1,263	371	431	3,387	18,477	37,080
		Terminated..	681	69	236	1,045	4,010	2,622	19	810	169	2,341	1,057	5,065	256	466	3,152	17,793	39,791
	Downstate Total.....	Begun.....	7,281	3,416	2,165	27,594	54,020	27,497	498	7,377	4,673	15,786	19,204	20,695	5,486	52,436	58,593	423,237	729,958
		Terminated..	6,691	2,732	2,430	26,502	54,185	44,423	435	7,227	4,641	14,041	18,734	20,928	5,077	51,177	56,092	415,537	730,852
	Cook County.....	Begun.....	16,379	6,111	12,086	75,513	92,375	66,282	233	6,120	7,793	60,403	22,623	11,909	4,818	216,268	.....	1,135,291	1,734,204
		Terminated..	15,827	4,945	12,668	73,130	90,735	77,614	226	6,256	8,642	69,951	21,717	10,612	4,560	210,391	.....	1,167,062	1,774,336
	State Total.....	Begun.....	23,660	9,527	14,251	103,107	146,395	93,779	731	13,497	12,466	76,189	41,827	32,604	10,304	268,704	58,593	1,558,528	2,464,162
		Terminated..	22,518	7,677	15,098	99,632	144,920	122,037	661	13,483	13,283	83,992	40,451	31,540	9,637	261,568	56,092	1,582,599	2,505,188

<sup>1</sup> Includes cases reinstated.

<sup>2</sup> Combined with Ordinance violations.

<sup>3</sup> Includes 40 conservatorships for patients presently or formerly at Anna State Hospital.



**THE TREND OF ALL CASES, THE NUMBER OF CIVIL VERDICTS AND  
THE AVERAGE DELAY\* IN REACHING VERDICT DURING 1966**

Circuit	Total Cases Begun or Reinstated	Total Cases Terminated	Currency		Total No. of Civil Cases Terminated by Verdict	Average Delay*
			Gain	Loss		
Cook.....	1,734,204	1,774,336	40,132	.....	1,371	60.2
1st.....	23,015	22,848	.....	167	32	22.9
2nd.....	18,821	16,982	.....	1,839	39	17.9
3rd.....	29,491	28,132	.....	1,359	103	21.5
4th.....	21,817	20,687	.....	1,130	38	19.2
5th.....	22,387	20,697	.....	1,690	36	16.8
6th.....	43,362	42,991	.....	371	60	13.9
7th.....	37,520	37,733	213	.....	132	19.5
8th.....	16,287	15,856	.....	431	28	15.9
9th.....	22,736	22,730	.....	6	19	14.9
10th.....	48,084	48,212	128	.....	65	25.4
11th.....	30,976	29,652	.....	1,324	42	16.7
12th.....	48,730	48,368	.....	362	69	29.4
13th.....	20,532	19,761	.....	771	34	19.8
14th.....	53,833	52,608	.....	1,225	62	11.4
15th.....	27,825	26,005	.....	1,820	26	14.7
16th.....	48,910	48,774	.....	136	72	18.9
17th.....	47,377	45,138	.....	2,239	100	15.5
18th.....	59,090	73,205	14,115	.....	99	20.9
19th.....	72,085	70,682	.....	1,403	148	23.6
20th.....	37,080	39,791	2,711	.....	121	19.7
Total.....	2,464,162	2,505,188	41,026	.....	2,696	.....

\* Average time elapsed (in months) between date of filing and date of verdict.

**THE DISPOSITION OF DEFENDANTS IN FELONY CASES  
TERMINATED DURING 1966**

Circuit	Total No. of De- fendants	Not Convicted				Convicted and Sentenced				Type of Sentence Imposed			
		Total	Dis- missed	Acquitted by Court	Acquitted by Jury	Total	Plead Guilty	Convicted by Court	Convicted by Jury	Total	Imprison- ment	Pro- bation	Fine Only
Cook County.....	4,496	1,686	1,392	214	80	2,810	2,300	347	163	2,810	1,835	873	102
1st.....	320	232	225	1	6	88	84	2	2	88	48	38	2
2nd.....	425	264	262	.....	2	161	153	4	4	161	90	38	33
3rd.....	238	105	100	1	4	133	132	.....	1	133	42	58	33
4th.....	222 <sup>1</sup>	99	90	2	7	111	92	14	5	111	51	54	6
5th.....	305	193	190	.....	3	112	101	6	5	112	48	58	6
6th.....	615 <sup>2</sup>	393	383	3	7	221	208	6	7	221	101	111	9
7th.....	240	98	76	18	4	142	96	36	10	142	75	53	14
8th.....	181 <sup>3</sup>	112	108	.....	4	68	63	3	2	68	27	28	13
9th.....	142	77	74	.....	3	65	62	1	2	65	40	24	1
10th.....	298 <sup>4</sup>	159	154	3	2	138	113	13	12	138	68	51	19
11th.....	186 <sup>5</sup>	75	72	1	2	110	106	1	3	110	52	51	7
12th.....	168 <sup>6</sup>	85	80	3	2	82	31	37	14	82	52	26	4
13th.....	120 <sup>7</sup>	33	28	4	1	81	76	2	3	80 <sup>7</sup>	34	43	3
14th.....	285	130	122	2	6	155	148	3	4	155	74	69	12
15th.....	167 <sup>8</sup>	79	76	2	1	87	73	8	6	87	62	25	.....
16th.....	353	181	177	3	1	172	149	12	11	172	110	62	.....
17th.....	154	30	24	2	4	124	92	10	22	124	60	62	2
18th.....	184	46	39	2	5	138	125	8	5	138	88	44	6
19th.....	192	98	92	.....	6	94	89	2	3	94	38	53	3
20th.....	252	130	104	17	9	122	114	.....	8	122	72	46	4
Cook County Total.	4,496	1,686	1,392	214	80	2,810	2,300	347	163	2,810	1,835	873	102
Downstate Total...	5,047	2,619	2,476	64	79	2,404	2,107	168	129	2,403	1,232	994	177
State Total.....	9,543	4,305	3,868	278	159	5,214	4,407	515	292	5,213	3,067	1,867	279

<sup>1</sup> 7 Defendants transferred from Christian County to Sangamon County.

1 Defendant transferred from Christian County to Adams County.

1 Defendant extradited from Christian County to Dair County, Wisconsin.

1 Defendant from Christian County transferred to Juvenile Court.

1 Defendant from Christian County returned to state of Ohio.

1 Defendant from Marion County transferred to McLean County.

<sup>2</sup> 1 Defendant transferred from DeWitt County.

<sup>3</sup> 1 Defendant extradited from Cass County to state of Idaho.

<sup>4</sup> 1 Defendant transferred from Peoria County to Macon County.

<sup>5</sup> 1 Change of venue from McLean County to Tazewell County.

<sup>6</sup> 1 Defendant extradited from Iroquois County to state of Indiana.

<sup>7</sup> 1 Defendant from Bureau County, on plea of guilty, sent to Illinois Youth Commission.

1 Defendant extradited from LaSalle County to state of California.

1 Defendant extradited from LaSalle County to state of Minnesota.

2 Defendants extradited from LaSalle County to state of Texas.

1 Defendant extradited from LaSalle County to state of Mississippi.

1 Defendant released to state of Kentucky.

<sup>8</sup> 1 Defendant transferred from Stephenson County.

**RATIO OF CASELOAD PER JUDGE OR MAGISTRATE  
IN THE CIRCUIT COURTS OF ILLINOIS DURING 1966**

Circuit	No. of Counties	Population (1960 Federal Census)	Area (sq. mi.)	Total No. of Cases Begun or Reinstated During 1966	No. of Judges, Associate Judges and Magistrates	Average No. of Cases per Judge or Magistrate
Cook.....	1	5,129,725	954	1,734,204	245	7,078.3
1st.....	9	184,021	3,242	23,015	20	1,150.7
2nd.....	12	211,081	4,796	18,821	20	941.0
3rd.....	2	238,749	1,114	29,491	15	1,966.0
4th.....	9	227,447	5,425	21,817	15	1,454.4
5th.....	5	188,068	2,885	22,387	15	1,492.4
6th.....	6	315,784	3,178	43,362	20	2,168.1
7th.....	6	267,494	3,485	37,520	18	2,084.4
8th.....	8	148,888	3,918	16,287	13	1,252.8
9th.....	6	186,560	3,904	22,736	17	1,337.4
10th.....	5	314,889	2,129	48,084	19	2,530.7
11th.....	5	199,059	3,853	30,976	15	2,065.0
12th.....	3	317,242	2,647	48,730	18	2,707.2
13th.....	3	170,744	2,453	20,532	15	1,368.8
14th.....	4	277,344	2,492	53,833	20	2,691.6
15th.....	5	164,390	3,136	27,825	13	2,140.3
16th.....	3	277,500	1,472	48,910	16	3,056.8
17th.....	2	230,091	803	47,377	13	3,644.3
18th.....	1	313,459	331	59,090	17	3,475.8
19th.....	2	377,866	1,068	72,085	22	3,276.5
20th.....	5	340,757	2,652	37,080	23	1,612.1
Downstate Total.....	101	4,951,433	54,983	729,958	344	2,121.9
State Total.....	102	10,081,158	55,937	2,464,162	589	4,183.6

**REPORT OF CARL H. ROLEWICK, ASSISTANT DIRECTOR  
ADMINISTRATIVE OFFICE OF THE ILLINOIS COURTS**

*To the Honorable, the Chief Justice and Justices of  
the Supreme Court of Illinois:*

I submit herewith the statistical report for the Circuit Court of Cook County for calendar year 1966—the third year of operation of a unified trial court under our new Judicial Article.

As in the past, Part I of the statistical report on the Circuit Court of Cook County shows the trend of all cases in 1966, lists the filings and terminations of each type of case for each month of the year, and

analyzes the extent of delay and work product of the various divisions and departments during 1966. Part II and Part III of the report analyze the processing of law jury cases in the County Department.

During the course of 1966, significant losses in currency occurred in law cases (jury and non-jury) over \$10,000 and in law non-jury cases under \$10,000. Tax and chancery cases achieved significant gains in currency. The divorce category incurred a loss, but it is not a significant loss because the Divorce Division is current.

Specifically, the results were as follows:

Type of Case	Pending 1-1-66	Pending 12-31-66	Currency	
			Gain	Loss
Law Jury Over \$10,000.....	48,707	49,259	.....	552
Law Non-Jury Over \$10,000.....	9,258	10,424	.....	1,166
Law Jury \$10,000 and Under.....	26,236	25,645	591	.....
Law Non-Jury \$10,000 and Under.....	22,086	24,469	.....	2,383
Tax.....	25,847	14,515	11,332	.....
Chancery.....	4,089	3,240	849	.....
Divorce.....	8,134	9,040	.....	906

**Law Jury Cases Over \$10,000**

The loss in currency in law jury cases of \$10,000 is disappointing. In view of the slight gains made in 1965, it was generally believed that the court was finally able to hold its own against the backlog and, hopefully, look forward to significant future gains.

It is difficult to understand this loss in currency. I do not believe that we can attribute it to the number of cases added. The number of cases begun, reinstated and transferred has been fairly consistent since 1963.

Year.....	1963*	1964	1965	1966
Number of law jury cases added.....	16,163	16,976	16,009	16,379

The number of law jury cases terminated in the Law Division decreased in 1966, as compared to

1965. The terminations from 1963 through 1966 are as follows:

Year.....	1963*	1964	1965	1966
Number of law jury cases terminated.....	13,947	16,138	16,594	15,814

The decrease in the number of law jury cases terminated in the Law Division occurred despite the fact that the number of substantially full-time trial

judges has **increased** and despite a concentrated summer pre-trial program which, itself, resulted in 1,193 terminations:

Year.....	1963*	1964	1965	1966
Number of substantially full-time law-jury trial judges .....	11	28	28	34
Number of part-time law jury trial judges.....	34	15	14	10

Even though the number of law jury cases terminated in the Law Division in 1966 decreased (as compared with 1965), the number of contested ver-

dicts and the ratio of contested verdicts to terminations increased:

Year.....	1963*	1964	1965	1966
Number of Contested Verdicts in County Department, Law Division.....	549	713	681	783
Ratio of Contested Verdicts to Terminations.....	3.9%	4.4%	4.1%	5.0%

The record high number of contested verdicts indicates that the trial judges spent more time terminating fewer cases. While it is obvious that most settlements consume less judge-time than contested cases which go to verdict, it is also obvious that a certain number of cases cannot be settled and must be tried to verdict. The court has the duty to try

those cases to verdict, regardless of the amount of time expended.

Using the time lapse between the date of filing and the date of verdict as the measure of delay, we observe that the average delay in the Law Division decreased in 1964, increased substantially in 1965, and decreased slightly in 1966, though it was still above the average delay of 1963.

Year.....	1963*	1964	1965	1966
Average Delay.....	62.2 mo.	60.2 mo.	69.5 mo.	64.2 mo.

\* Court year September 1962 through June 1963.

The Law Division is once again losing ground in the battle against the backlog. New methods must be tried. A good place to start might be to restudy

the recommendations of the Cook County Backlog Committee, approved by the Supreme Court in 1963.

Respectfully submitted,

Carl H. Rolewick  
Assistant Director

# CIRCUIT COURT OF COOK COUNTY

## PART I

### TREND OF ALL CASES DURING THE CALENDAR YEAR 1966

		Pending at Start	Begun and Reinstated	Trans- ferred	Total Added	Termi- nated	Pending at End	Currency	
								Gain	Loss
Law Over \$10,000	Jury.....	48,707	5,910	+10,469	16,379	15,827	49,259	.....	552
	Non-Jury....	9,258	16,580	—10,469	6,111	4,945	10,424	.....	1,166
Law \$10,000 and Under	Jury.....	26,236	11,143	+ 943	12,086	12,668	25,654	582	.....
	Non-Jury....	22,086	76,456	— 943	75,513	73,130	24,469	.....	2,383
Small Claims.....		1,555	92,375	0	92,375	90,735	3,195	.....	1,640
Tax.....		25,847	66,282	0	66,282	77,614	14,515	11,332	.....
Condemnation.....		404	233	0	233	226	411	.....	7
Misc. Remedies.....		957	6,120	0	6,120	6,256	821	136	.....
Chancery.....		4,089	7,793	0	7,793	8,642	3,240	849	.....
Divorce.....		8,134	22,623	0	22,623	21,717	9,040	.....	906
Felony.....		1,434	4,818	0	4,818	4,560	1,692	.....	258
TREND TOTAL.....		148,707	310,333	0	310,333	316,320	142,720	5,987	.....
Juvenile.....		XXX	60,403	0	60,403	69,951	XXX	XXX	XXX
Probate.....		XXX	11,909	0	11,909	10,612	XXX	XXX	XXX
Misdemeanors and Ordinance Violations.....		XXX	216,268	0	216,268	210,391	XXX	XXX	XXX
Traffic.....		XXX	1,135,291	0	1,135,291	1,167,062	XXX	XXX	XXX
GRAND TOTAL.....		148,707	1,734,204	0	1,734,204	1,774,336	142,720	XXX	XXX

NOTE: Illinois has a unified court system. There is only one state trial court in Cook County—the Circuit Court, a court of general jurisdiction. All justiciable matters, regardless of amount, are filed in the Circuit Court.

**CIRCUIT COURT OF COOK COUNTY**  
**TREND OF CASES IN THE COUNTY DEPARTMENT**  
**DURING THE CALENDAR YEAR 1966**

		Pending at Start	Begun and Reinstated	Trans- ferred	Total Added	Termi- nated	Pending at End	Currency	
								Gain	Loss
Law Over \$10,000	Jury.....	48,707	5,910	+10,469	16,379	15,827	49,259	.....	552
	Non-Jury....	9,258	16,580	-10,469	6,111	4,945	10,424	.....	1,166
Law \$10,000 and Under	Jury.....	22	34	0	34	53	3	19	.....
	Non-Jury....	453	7	0	7	452	8	445	.....
Tax.....		15,194	11,845	0	11,845	16,817	10,222	4,972	.....
Condemnation.....		404	233	0	233	226	411	.....	7
Misc. Remedies.....		899	5,769	0	5,769	5,864	804	95	.....
Chancery.....		4,089	7,793	0	7,793	8,642	3,240	849	.....
Juvenile.....		XXX	16,966	0	16,966	19,344	XXX	XXX	XXX
Divorce.....		8,134	22,623	0	22,623	21,717	9,040	.....	906
Probate.....		XXX	11,909	0	11,909	10,612	XXX	XXX	XXX
Felony.....		1,434	4,818	0	4,818	4,560	1,692	.....	258
Misdemeanors.....		5,407	2,100	0	2,100	1,498	6,009	.....	602
TOTALS.....		94,001	106,587	0	106,587	110,557	91,112	2,889	.....

**TREND OF CASES IN THE MUNICIPAL DEPARTMENT**  
**DURING THE CALENDAR YEAR 1966**

		Pending at Start	Begun and Reinstated	Trans- ferred	Total Added	Termi- nated	Pending at End	Currency	
								Gain	Loss
Law \$10,000 and Under	Jury.....	26,214	11,109	+ 943	12,052	12,615	25,651	563	.....
	Non-Jury....	21,633	76,449	- 943	75,506	72,678	24,461	.....	2,828
Small Claims.....		1,555	92,375	0	92,375	90,735	3,195	.....	1,640
Tax.....		10,653	54,437	0	54,437	60,797	4,293	6,360	.....
Misc. Remedies.....		58	351	0	351	392	17	41	.....
Juvenile.....		XXX	43,437	0	43,437	50,607	XXX	XXX	XXX
Ordinance Violations and Misdemeanors.....		XXX	214,168	0	214,168	208,893	XXX	XXX	XXX
Traffic.....		XXX	1,135,291	0	1,135,291	1,167,062	XXX	XXX	XXX
TOTALS.....		60,113	1,627,617	0	1,627,617	1,663,779	57,617	2,496	.....



**CIRCUIT COURT OF COOK COUNTY**  
**LISTING OF CASES ADDED AND TERMINATED EACH MONTH**  
**DURING THE CALENDAR YEAR 1966**

			JANUARY		FEBRUARY		MARCH		APRIL		MAY		JUNE	
		Pending at End of 1965	Total Added	Total Termini- nated	Total Added	Total Termini- nated	Total Added	Total Termini- nated	Total Added	Total Termini- nated	Total Added	Total Termini- nated	Total Added	Total Termini- nated
Law Over \$10,000	Jury.....	48,707	1,171	1,523	1,179	1,352	1,663	1,542	1,178	1,201	1,193	1,404	1,232	1,349
	Non-Jury.....	9,258	680	446	538	399	232	457	566	394	392	399	535	308
Law \$10,000 and Under	Jury.....	26,236	998	1,034	825	1,016	1,154	1,232	991	1,405	977	1,279	1,111	1,073
	Non-Jury.....	22,086	7,361	7,622	5,019	4,790	6,791	4,496	6,180	6,186	5,708	6,047	6,606	8,459
Small Claims.....		1,555	6,450	5,712	7,637	7,832	8,657	8,085	7,306	7,491	7,918	7,799	8,111	8,929
Tax.....		25,847	8,635	7,965	7,777	7,588	8,987	9,582	7,827	6,810	8,710	8,925	6,610	7,314
Condemnation.....		404	19	4	30	15	23	10	17	5	17	7	24	12
Misc. Remedies.....		957	576	575	86	108	654	752	544	623	573	541	546	532
Chancery.....		4,089	607	547	553	513	753	637	601	619	725	810	664	705
Divorce.....		8,134	1,651	1,492	1,798	1,922	2,164	2,194	1,885	1,817	2,035	2,055	2,017	2,224
Felony.....		1,434	439	457	413	306	386	392	403	378	443	526	334	428
Family.....		XXX	5,120	5,277	3,886	4,960	5,147	5,240	5,046	5,790	5,630	6,062	5,586	6,687
Probate.....		XXX	1,010	827	993	827	1,090	1,237	968	748	1,016	810	1,051	871
Misdemeanors and Ordinance Violations.....		XXX	13,692	14,352	14,019	14,353	22,145	21,728	18,895	17,115	19,661	18,404	18,928	18,891
Traffic.....		XXX	102,328	105,074	90,198	87,159	107,134	111,535	85,222	97,371	93,904	97,977	100,292	99,929
TOTALS.....		148,707	150,737	152,907	134,951	133,140	166,980	169,119	137,629	147,953	148,902	153,045	153,647	157,711

NOTE: Illinois has a unified trial court system. There is only one state trial court in Cook County—the Circuit Court, a court of general jurisdiction. All justiciable matters, regardless of type or amount, are filed in the Circuit Court.

**CIRCUIT COURT OF COOK COUNTY**  
**LISTING OF CASES ADDED AND TERMINATED EACH MONTH**  
**DURING THE CALENDAR YEAR 1966**

		JULY		AUGUST		SEPTEMBER		OCTOBER		NOVEMBER		DECEMBER		Pending at End of 1966
		Total Added	Total Terminated	Total Added	Total Terminated	Total Added	Total Terminated	Total Added	Total Terminated	Total Added	Total Terminated	Total Added	Total Terminated	
Law Over \$10,000	Jury.....	1,162	1,487	1,292	1,306	2,738	958	1,154	1,286	1,186	1,246	1,231	1,173	49,259
	Non-Jury.....	449	167	469	146	426	1,122	548	344	583	355	693	408	10,424
Law \$10,000 and Under	Jury.....	967	929	1,043	1,013	906	850	993	1,276	1,034	1,154	1,063	414	25,654
	Non-Jury.....	5,740	5,818	6,634	6,736	5,828	5,558	6,692	6,977	6,995	6,821	5,983	3,608	24,469
Small Claims.....		7,706	7,570	8,841	9,005	7,758	7,744	7,427	7,485	7,348	7,383	7,216	5,700	3,195
Tax.....		2,159	3,443	1,148	3,291	1,262	2,676	672	3,498	4,833	7,668	7,662	8,854	14,515
Condemnation.....		19	6	15	4	23	145	13	5	14	9	19	4	411
Misc. Remedies.....		507	472	552	493	561	609	502	517	536	553	483	482	821
Chancery.....		626	779	11	590	1,387	975	682	1,091	629	691	555	685	3,240
Divorce.....		1,943	1,554	117	1,236	3,766	1,487	1,976	1,738	1,848	1,914	1,423	2,084	9,040
Felony.....		270	279	483	342	377	346	543	465	349	307	378	334	1,692
Family.....		5,152	6,001	5,739	6,498	5,428	6,503	5,073	6,022	1,589	1,583	4,063	5,546	XXX
Probate.....		910	824	1,017	1,024	995	847	957	860	941	814	961	923	XXX
Misdemeanors and Ordinance Violations.....		19,326	17,256	20,254	19,178	18,659	18,322	19,253	18,310	16,253	16,438	14,883	15,948	XXX
Traffic.....		86,759	91,758	89,708	94,183	98,355	99,529	93,832	92,808	90,594	93,097	96,965	96,642	XXX
TOTALS.....		133,695	138,343	137,323	145,045	148,469	147,658	140,317	142,682	134,732	140,033	143,578	142,805	142,720

NOTE: Illinois has a unified trial court system. There is only one state trial court in Cook County—the Circuit Court, a court of general jurisdiction. All justiciable matters, regardless of type or amount, are filed in the Circuit Court.

**CIRCUIT COURT OF COOK COUNTY**  
**ANALYSIS OF ALL VERDICTS REACHED DURING**  
**CALENDAR YEAR 1966**

Total Verdicts	County Department				Municipal Department					
	Law	Condem-nations	Chancery	County	District 1	District 2	District 3	District 4	District 5	District 6
1,396	976	16	0	9	304	18	13	23	0	37

**AN ANALYSIS OF LAW JURY CASES IN THE COUNTY DEPARTMENT, LAW DIVISION,**  
**DURING THE CALENDAR YEAR 1966**

	Law Jury Cases Added	Law Jury Cases Terminated	Total Number of Law Verdicts Reached	Number of Contested Law Verdicts	Ratio of Con- tested Verdicts to Terminations	Number of Law Jury Judges	
						Substantially Full-time	Substantially Part-time
Average per month for 1964.	1,414	1,344	81	71	5.3%	28	15
Average per month for 1965.	1,334	1,382	76	68	4.9%	28	14
Average per month for 1966.	1,364	1,317	98	78	5.9%	34	10

**ANALYSIS OF TIME DELAY OF LAW JURY VERDICTS REACHED**  
**DURING THE CALENDAR YEAR 1966**

		County Department	Municipal Department					
		Law Division	District 1	District 2	District 3	District 4	District 5	District 6
Total number of verdicts reached during month.....		976	304	18	13	23	0	37
Months elapsed between date of filing and date of verdict.....	Average.....	64.3	63.6	5.1	9.8	9.0	0	6.6
	Maximum...	125.8	99.5	12.7	17.1	20.6	0	16.8
	Minimum...	7.6	0.7	2.9	3.6	4.5	0	2.5

**CIRCUIT COURT OF COOK COUNTY**  
**AGE OF PENDING LAW CASES AS OF DECEMBER 31, 1966**

			During 1956	During 1957	During 1958	During 1959	During 1960	During 1961	During 1962	During 1963	During 1964	During 1965	During 1966	Totals
Law  Over  \$10,000*	J U R Y	Total Filed.....	14,805	14,071	14,717	14,697	12,905	12,618	14,586	16,136	16,976	16,009	16,379	XXX
		Pending.....	1	7	11	39	50	1,313	4,487	8,276	11,400	12,211	11,464	49,259
		% Terminated...	99.9	99.9	99.9	99.7	99.6	89.6	69.2	48.7	32.8	23.7	30.0	XXX
	Non- Jury	Total Filed.....	1,159	1,680	1,295	1,483	1,910	6,641	7,295	7,917	4,628	7,301	6,111	XXX
		Pending.....	4	2	0	4	32	63	19	133	1,395	4,046	4,726	10,424
		% Terminated...	99.7	99.9	100.0	99.7	98.3	99.1	99.7	98.3	69.9	44.6	22.7	XXX
Law  \$10,000  and  Under**	J U R Y	Total Filed.....	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	11,492	10,104	12,086	XXX
		Pending.....	0	0	0	0	87	296	1,757	2,166	3,435	7,289	10,624	25,654
		% Terminated...	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	70.1	27.9	12.1	XXX
	Non- Jury	Total Filed.....	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	65,799	71,979	75,513	XXX
		Pending.....	0	0	0	0	35	24	78	377	1,890	6,535	15,530	24,469
		% Terminated...	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	97.1	90.9	79.4	XXX

\* Law Division, County Department. The figures shown as law jury and non-jury over \$10,000 for the years 1963 and prior are the combined law jury and non-jury figures of the former Circuit and Superior Courts of Cook County.

\*\* Municipal Department, Districts 1-6.

**CIRCUIT COURT OF COOK COUNTY**  
**NATURE OF TERMINATION OF CRIMINAL CASES IN THE**  
**COUNTY DEPARTMENT, CRIMINAL DIVISION**  
**DURING THE CALENDAR YEAR 1966**

Actual number of defendants in cases disposed of—4496

Not Convicted.....	1,686	Convicted and Sentenced.....	2,810	Type of Sentence	
Dismissed.....	1,392	Pleas of Guilty.....	2,300	Imprisonment.....	1,835
Acquitted by Court.....	214	Convicted by Court.....	347	Probation.....	873
Acquitted by jury.....	80	Convicted by Jury.....	163	Fine Only.....	102

**REPORT ON PROBATE PROCEEDINGS IN THE COUNTY**  
**DEPARTMENT, PROBATE DIVISION**  
**DURING THE CALENDAR YEAR 1966**

	Decedent's Estates	Guardianships	Conservatorships	Total
Number of cases begun during calendar year 1966.....	8,385	2,327	1,197	11,909
Number of cases terminated during calendar year 1966.....	6,757	3,187	668	10,612

**CHILDREN REFERRED TO THE COUNTY DEPARTMENT, JUVENILE**  
**DIVISION, DURING THE CALENDAR YEAR 1966**

Delinquents	Dependents	Minors in Need of Supervision	Victim of Delinquent or Criminal Offense	Victim of Neglect	Other	Reactivated Cases	Total
11,941	3,264	5,041	26	1,403	416	.....	22,091

**INITIAL ACTION TAKEN ON CASES REFERRED TO THE COUNTY**  
**DEPARTMENT, JUVENILE DIVISION DURING THE**  
**CALENDAR YEAR 1966**

Adjusted	Social Investigation Ordered	Petition Recommended	Total
6,396	2,335	13,360	22,091

**CIRCUIT COURT OF COOK COUNTY**  
**CASES ADJUSTED IN THE COUNTY DEPARTMENT, JUVENILE DIVISION**  
**DURING THE CALENDAR YEAR 1966**

	Dependents	Delinquents	Minors in Need of Supervision	Mental Deficients	Others	Total
By the Probation Staff.....	365	17	3	0	30	415
By the Complaint Unit Staff.....	1,737	2,874	1,419	0	366	6,396
TOTAL.....	2,102	2,891	1,422	0	396	6,811

**NATURE OF PETITIONS DISPOSED OF IN THE COUNTY DEPARTMENT,**  
**JUVENILE DIVISION DURING THE CALENDAR YEAR 1966**

Petitions Dismissed	Continued Generally	Cases Closed	Guardian Appointed with Right to Consent to Adoption	Guardian Appointed with Right to Place	Probation	Institutional Commitments	Total
3,522	0	3,866	268	2,290	3,492	2,300	15,738

**TREND OF CIVIL CASES\* IN THE COUNTY DEPARTMENT, COUNTY**  
**DIVISION DURING THE CALENDAR YEAR 1966**

	Pending at Start	New Filings	Trans- ferred	Total Added	Termi- nated	Pending at End	Currency	
							Gain	Loss
Law Jury.....	22	34	0	34	53	3	19	.....
Law Non-Jury.....	1	4	0	4	3	2	.....	1
Mental Act Support.....	452	3	0	3	449	6	446	.....
Tax.....	5,090	2,476	0	2,476	1,527	6,039	.....	949
Adoptions.....	XXX	3,900	0	3,900	3,900	XXX	XXX	XXX
Condemnations.....	20	54	0	54	42	32	.....	12
Mental Act Commitment.....	XXX	5,432	0	5,432	5,432	XXX	XXX	XXX
TOTALS.....	5,585	11,903	0	11,903	11,406	6,082	.....	497

\* Does not include inheritance tax appeals, tax deeds, tax objections, special assessments, organizations, annexations, and disconnections.

**CIRCUIT COURT OF COOK COUNTY**  
**TREND OF CRIMINAL CASES IN THE COUNTY DEPARTMENT,**  
**COUNTY DIVISION DURING THE CALENDAR YEAR 1966**

	Pending at Start	Begun and Rein- stated	Termi- nated	Pending at End	Currency	
					Gain	Loss
Violation of Unemployment Compensation Act.....	426	0	425	1	425	.....
Fraud—A.D.C. and Public Aid.....	212	0	174	38	174	.....
Reciprocal Non-Support.....	4,737	2,100	869	5,968	.....	1,231
Violation of State Occupational Tax Act.....	32	0	30	2	30	.....
<b>TOTALS.....</b>	<b>5,407</b>	<b>2,100</b>	<b>1,498</b>	<b>6,009</b>	<b>.....</b>	<b>602</b>

**MUNICIPAL DEPARTMENT, DISTRICTS 1-6**  
**NATURE OF TERMINATION OF CRIMINAL, ORDINANCE AND**  
**TRAFFIC CASES DURING THE CALENDAR YEAR 1966**

Method of Termination or Disposition	Preliminary Hearings	Misdemeanors and Ordinance Violations	Traffic
1. Fine.....	0	37,315	765,908
2. Fine and Jail Sentence or Probation.....	XXX	XXX	9,848
3. House of Correction.....	0	3,949	XXX
4. County Jail.....	0	1,732	XXX
5. Probation.....	0	4,922	XXX
6. State Institutions.....	4	871	XXX
7. Transferred to Criminal Division.....	4,138	437	XXX
8. Ordered to Pay.....	6	6,362	XXX
9. Dismissed upon payment of court costs.....	XXX	XXX	0
10. Ex-Parte, Satisfied.....	XXX	XXX	0
11. Ex-Parte, Execution to Issue.....	XXX	XXX	0
12. Fine and Costs Suspended.....	XXX	XXX	19,058
13. Discharged.....	2,606	33,469	188,265
14. D.W.P.....	795	29,653	134,640
15. Leave to File Denied.....	795	92,173	309
16. Leave to File Denied—No Number.....	2	8	XXX
17. Non-Suit.....	335	14,399	18,183
18. Nolle Prosequi.....	5,945	7,330	19,482
19. Stricken off with Leave to Reinstate.....	2,900	8,257	11,369
20. Other.....	29	1,068	0
<b>TOTAL.....</b>	<b>17,555</b>	<b>241,945</b>	<b>1,167,062</b>



**PART II**  
**STATEMENT OF TOTAL LAW JURY CASES TERMINATED AS**  
**REPORTED BY THE CLERK OF THE CIRCUIT COURT OF**  
**COOK COUNTY, COUNTY DEPARTMENT, LAW DIVISION**  
**DURING CALENDAR YEAR 1966**

During calendar year 1966, the Law Division of the County Department of the Circuit Court of Cook County, terminated 15,827 law jury cases, which were credited by the clerk as follows:

I. To the assignment judge (Judge Ward).....	7734
II. To the motion judges (Judges Hallett, Bua, Schultz, Schwartz and Friend).....	595
III. To the pre-trial judges (Judges Bicek, Crosson, Felt, Hall, Jakes and Moran).....	2021
IV. To the 32 judges who participated in the summer pre-trial program (Judges C. Barrett, Barth, Braude, Brussell, J. Butler, Canel, N. M. Cohen, Courtney, Crowley, Dieringer, Epstein, Finnegan, Goldstein, Gutknecht, Hershenson, Holmgren, Jiganti, Kowalski, Landesman, Lefkovits, McAuliffe, McKinlay, McNamara, Melaniphy, Morrissey, Nash, Porter, Quilici, Roberts, Sorrentino, Stefanowicz and Tucker).....	1240
V. Law jury trial judges as follows:	
a) To 36 judges (Judges C. Barrett, Barry, Braude, Brussell, J. Butler, Canel, N. Cohn, Courtney, Crowley, Daly, Dieringer, Epstein, Finnegan, T. Fitzgerald, Gutknecht, Hershenson, Holmgren, Jiganti, Kowalski, Landesman, Lefkovits, Leighton, McAuliffe, McKinlay, McNamara, Melaniphy, Morrissey, Nash, Nelson, Porter, Quilici, Roberts, Sorrentino, Stefanowicz and Tucker) whose service in the law jury division <i>was not</i> substantially interrupted by other judicial duties or illness during the entire period.....	3859
b) To 11 judges (Judges Brown, I. Cohen, Egan, J. C. Fitzgerald, Geroulis, Goldstein, Healy, Moran, Murphy, Power and Weiss) whose service in the law jury division <i>was</i> limited by other judicial duties, assignments and illness during the entire period.....	378
Total Terminations .....	15827

### PART III

#### SUMMARY OF THE JUDICIAL PROCEEDING OF THE 4473 LAW JURY CASES REPORTED THROUGH THE MONTHLY REPORTS OF THE LAW JURY TRIAL JUDGES (COUNTY DEPARTMENT, CIRCUIT COURT OF COOK COUNTY) DURING CALENDAR YEAR 1966

Method of Disposition-	Number of Cases	Number of Jury ½ Days	Number of Judge ½ Days in Excess of Jury ½ Days
1. With Use of Jury:			
a. Dismissed by agreement during selection of jury.....	330	522	230
b. Dismissed by agreement after selection of jury.....	425	1,711	333
c. Contested verdicts for plaintiff.....	435	3,066	383
d. Contested verdicts for defendant.....	348	2,266	305
e. Uncontested verdicts for plaintiff.....	175	272	61
f. Uncontested verdicts for defendant.....	18	61	15
g. Other terminations.....	37	126	25
2. Mistrials for Error.....	43	144	30
3. Mistrials for Disagreement.....	39	297	27
4. Without Use of Jury:			
a. Court finding for plaintiff.....	405	XXX	824
b. Court finding for defendant.....	21	XXX	63
c. Uncontested prove-ups.....	260	XXX	411
d. Dismissed or terminated by agreement.....	1,657	XXX	2,717
e. Dismissed for want of prosecution.....	93	XXX	107
f. Other terminations.....	33	XXX	83
5. Returned to Assignment Judge.....	154	63	147
Totals.....	4,473	8,528	5,761

A total of 47 judges made the reports tabulated above. All of them were resident judges. Thirty-six served substantially full time in the County Department, Law Division, Jury Section, their service not being substantially interrupted by other judicial duties, assignments, or illness. Eleven other judges served in the County Department, Law Division, Jury Section, whose service was limited by other judicial duties, assignments or illness during the period of this tabulation.

**AN ANALYSIS OF THE LAW JURY PRODUCT OF THE LAW JURY  
TRIAL JUDGES OF THE CIRCUIT COURT OF COOK COUNTY, COUNTY  
DEPARTMENT, FOR THE CALENDAR YEAR 1966—AS REPORTED  
THROUGH THE MONTHLY REPORTS OF LAW JURY TRIAL JUDGES**

The monthly reports of the law jury trial judges of the County Department of the Circuit Court of Cook County, indicate a total of 4473 cases processed and 4237 cases terminated. Subsections A and B below describe the processing of these cases, classified according to the amount of time a judge was assigned to the County Department, Law Division, Jury Section.

	Settled Without Use of Jury	Settled During Selection of Jury	Settled After Selection of Jury	Verdicts		Returned to Assignment Judge	Mistrials	Total Law Jury Cases Terminated	Total Law Jury Cases Processed	Total Jury ½ Days	Total Judge ½ Days in Excess of Jury ½ Days	Calendar ½ Days Avail- able for Assignment
				Contested	Uncontested							

A. The law jury record of the 36 law jury judges whose service in the law jury trial division *was not* substantially interrupted by other judicial duties, assignments or illness during Calendar Year 1966:

TOTALS.....	2,231	326	427	699	176	145	74	3,859	4,078	7,863	5,317	12,798
Maximum.....	191	57	36	39	13	16	7	279	281	314	337	396
Minimum.....	11	0	0	2	0	0	0	53	57	15	34	282
Average.....	61.9	9.1	11.9	19.4	4.9	4.0	2.1	107.2	113.3	218.4	147.7	355.5

B. The law jury record of the 11 law jury judges whose service in the law jury trial division *was* substantially limited by other judicial duties, assignments or illness during Calendar Year 1966:

TOTALS.....	238	4	35	84	17	9	8	378	395	665	444	1,055
Maximum.....	52	3	15	28	5	3	6	83	84	180	89	254
Minimum.....	3	0	0	0	0	0	0	6	7	0	8	20
Average.....	21.6	0.4	3.2	7.6	1.5	0.8	0.7	34.4	35.9	60.5	40.4	95.9

## APPENDIX

### REPORT ON COST vs. INCREASED REVENUE Under the New Judicial Article

By THE HONORABLE ROY J. SOLFISBURG, JR.  
Chief Justice, Supreme Court of Illinois

During the campaign for the adoption of the Judicial Article, some critics charged that, if it were adopted, the added cost to the taxpayers would far outweigh the benefits of unification and central administration. Some even predicted that the new Article would cost the taxpayers up to an additional twenty million dollars per year, over the old court system. While it is generally acknowledged today that such predictions have not come to pass, we still hear criticisms about the alleged increase in the cost of the new court system.

The new Judicial Article was not intended to turn the Illinois court system into a money-making operation. The sole purpose of the Article was to create a modern, efficient court system designed to better protect the liberties and guarantee the rights of our citizens. It was widely recognized that creation of a unified state judiciary would result in an increased burden on the state treasury. All judicial salaries and many other costs of court operations, most of which were formerly borne by cities and counties, now must be paid by the state.

While responsible critics might profitably argue that an equitable portion of the revenue generated by the courts should be channeled into the state treasury (to help defray additional expenses now borne by the state), the report I offer here indicates that our courts are presently generating from fines, fees and cost more money than it costs the state to operate them.

With few exceptions, such as building and maintaining courthouses, operating circuit clerks' offices and supplementing judges' salaries (where supplements are authorized by law), the state appropriation to our Court covers the bulk of the cost of operating the courts. The following report indicates that our courts are generating more than the annual cost to the state of their operation. If similar figures on revenue from the remaining downstate counties were added to the total, it would, I believe, show that court-generated income is well in excess of two times the state's total annual cost of operating the courts.

Forty-nine downstate counties have submitted figures which purport to be accurate statements of the revenues generated during the fiscal year immediately preceding the adoption of the Article and for each of the two calendar years immediately after the Article went into effect. While a very few of the counties report that they have suffered some reduction in revenues since the adoption of the Article, the overwhelming majority of the counties report startling increases.

The Conference of Chief Circuit Judges sponsored this study to determine the amount of revenue generated by the Illinois courts, both prior to and after the effective date of the new Judicial Article. The Administrative Office of the Illinois Courts distributed questionnaires to the county clerk and circuit clerk of every county in the state. While complete returns are not yet available, the results that we have received clearly warrant further investigation to establish the reliability of the figures presented to us and to determine whether other counties have had similar increases in revenue.

Forty-nine downstate counties report income from fees, fines and costs totaling \$2,610,462, during the fiscal year immediately preceding the adoption of the new Judicial Article. During calendar year 1964, the first year of operation under the new court system, these same 49 downstate counties report income totaling \$6,500,610, and for calendar year 1965, \$7,041,409. Court-generated income in these 49 counties, alone, has increased by over 250% in the two years following the adoption of the Article.

I want to emphasize that the figures that I present here are not figures which were worked up by our Court or by the judges of the various circuits. These figures were given to the Administrative Office of the Illinois Courts by the clerks of the individual counties. While it appears to be extremely difficult (in some cases, virtually impossible) to obtain accurate figures on the total income generated by the various courts prior to the adoption of the Article, I would like to review for you some of the individual figures which were submitted in response to the questionnaires. I think that you will agree with me that they are indeed remarkable.

#### Downstate County Reports Show Judicial Article More Than Paying Its Way

In my own county (Kane), the combined income of the circuit court and all the other courts during the fiscal year preceding the adoption of the Article is reported to have totaled \$182,804.64. In the first year after the effective date of the Article, Kane County reports \$519,530.20 in fees, fines and costs—an increase of \$336,725.56 (or 184.2%) over the preceding fiscal year under the old court system. In 1965, Kane County reports revenues of \$586,739.95—an increase of \$403,935.31 (or 220.9%) over the fiscal year preceding the adoption of the Article.

The results reported by Kane County are not at all unusual. For example, Adams County, with a

population slightly in excess of 65,000 persons, reports income of \$67,308.18 in the first year of operation under the Article, an increase of \$31,956.32 (or 90.4%) over the last fiscal year under the old court system. Revenues during the second calendar year of operation under the new Article show an increase of 97.6% over pre-Article income.

St. Clair County, with a population in excess of 250,000 persons, reports that in the first year of operation under the Article, the revenue generated by the courts increased 242.3% over the amount generated in the fiscal year immediately preceding the effective date of the Article, and 296.1% for the second year.

Smaller counties have also shown an increase in revenue generated by the courts. Perry County, with a population less than 20,000 persons, reports that in the first year of operation under the new Article, court-generated income exceeded the amount generated prior to the Article by \$28,527.71, which represents a 120.3% increase. In the second year of operation, revenues exceeded the pre-Article income by \$65,051.46, or 274.4%. Calhoun County, with a population of less than 6,000 persons, reports that in the first year under the new Article, it showed an increase in court-generated income of 227.5% and, in the second year, 351.3%. While the dollar amount of the increase in this case was not particularly large, the percentage increase is startling and revealing.

#### **Chicago and Cook County Court-Generated Income Also Increases**

In response to a survey conducted by Chief Judge John S. Boyle, suburban Cook County communities reported that the fines collected during calendar year 1963 totaled only \$318,876.00 and costs were \$193,000.00. In 1964 the total fines collected were \$2,036,600 and costs were \$1,057,816. This represents an increase of \$2,582,540 (or over 500%) in the total of fines and costs collected in suburban Cook County during the first year of operation under the new Judicial Article. Court-generated income to suburban communities has continued to grow. In 1965, total fines were \$2,320,000 and costs were \$1,305,310. In 1966 the total fines were \$2,481,000 and costs were \$1,432,466.

Chicago has experienced similar increases. While we presently have no figures on Chicago's income from fines and costs prior to the Judicial Article, a recent report shows that such collections totaled \$9,239,075 in 1964, \$10,246,790 in 1965 and \$11,582,365 in 1966—an increase of over one million dollars per year, each year, under the new system.

On the basis of these preliminary returns, we have instructed our Administrative Office to initiate a more detailed inquiry into the income being generated by the court system throughout the state.

I wish to re-emphasize that the new Judicial Article was never intended to be a means of generating income for cities, counties, or (for that matter) for the state. The courts of this state exist for the sole purpose of dispensing justice and guaranteeing the rights and liberties of our citizens.

On the other hand, however, it is interesting to note that the operation of our court system is not the financial burden that some claim. Cities and counties have been relieved of much of the cost of the courts. Expenses that were formerly carried by the cities and counties but have now been assumed by the state are as follows:

1. The state took over the payment of 102 county judges and 16 probate judges. All of them had previously been paid by the counties and received an average of \$8,000 per year, or \$950,000. The state is now paying \$2,065,000 to these 118 judges, though the amount saved to the counties was only \$950,000.
2. The state is now paying to former judges of the Municipal Court of Chicago a total of \$750,000 per year. Their entire salary had previously been paid by the City of Chicago, just as the entire salary of county and probate judges had been paid by the counties.
3. The state is now paying 48 former city and village judges \$17,500 per year. The state had formerly paid part of their salary, or an average of approximately \$7,500 per year. In other words, the additional annual cost to the state of these charges is \$480,000.
4. Under the Juvenile Court Act, the state now pays one-half of the salary of certain probation officers, up to \$300 per month. The payments from July, 1966 to July, 1967 will total \$1,250,000, none of which was formerly paid by the state.
5. The state is paying \$10,000 per year to 220 appointed magistrates and the elected salary to 36 remaining holdover magistrates, for a total of \$2,400,000. These take the place of justices of the peace formerly paid by the counties and police magistrates formerly paid by the cities.
6. The state is also paying 128 court reporters who had formerly been paid an average of \$6,000 each by the various counties. This is a new expense of \$750,000.

The state is now paying a total of \$6,580,000 per year for salaries previously paid by the cities and counties. With the exception of salary contributions to probation personnel under the Juvenile Court Act, all these additional expenses are paid out of our Court's appropriation. The Supreme Court's appropriation is \$35,000,000 for the current biennium. Consequently, the additional expenses as-

sumed by the state represent more than one-third of our present budget. Compare the additional \$6,580,000 cost assumed by the state with the \$15,495,831 being paid into the coffers of the cities and villages of Cook County, alone.

### Conclusion

The preliminary results of this study show that some city and county governments may have encountered a windfall under our new Judicial Article. However, notwithstanding the windfall, some downstate counties have refused to appropriate adequate funds to provide even minimum courthouse facilities which befit the dignity of a unified court of general jurisdiction in which every court is a court of record and in which every judge is a state official.

We anticipate that our Court will, in the future, make a continuing survey of the revenues generated by the courts. These figures shall be used to determine the availability of funds to insure that the courts of this state have adequate facilities and that the personnel of the courts receive adequate pay. As a coordinate branch of state government, our Court cannot, in good conscience, do less than everything in our power to insure that the administration of justice shall not be impaired by the argument, however irrelevant, that justice costs too much money.

It is the hope of our Court that the organized bars of Illinois and individual members thereof will disseminate the information contained in this report to the public to counteract the notion that the costs of the judiciary far exceed the revenue produced by the judiciary.









