

**IN THE  
SUPREME COURT  
OF ILLINOIS**

**INTRODUCTION BY JOHN C. FITZGERALD,**  
Administrative Director of the Illinois Courts

**REPORTS BY**

**ALBERT J. HARNO**

Court Administrator of the Illinois Courts,  
1960-1963, and

**JOHN W. FREELS,**

Deputy Director for Cook County.

Bearing on the administration of the Courts of Illinois.

The reports are for the calendar year 1963.





# IN THE SUPREME COURT OF ILLINOIS

INTRODUCTION BY JOHN C. FITZGERALD,  
Administrative Director of the Illinois Courts

REPORTS BY

ALBERT J. HARNO

Court Administrator of the Illinois Courts,  
1960-1963, and

JOHN W. FREELS,

Deputy Director for Cook County.

Bearing on the administration of the Courts of Illinois.

The reports are for the calendar year 1963.



## TABLE OF CONTENTS

1. Introduction by John C. Fitzgerald.....	1
2. Illinois Judicial System—Chart.....	3
3. Report by Albert J. Harno.....	4
4. Three areas of the law—Application of Judicial Article .....	5
5. Some Perspective .....	8
6. Illinois' New Judicial Article.....	14
7. Judicial Article Implementation Committees...	20
8. Legislation to implement Judicial Article.....	25
9. Chief Judge John T. Reardon, remarks by.....	34
10. Judge James O. Monroe, Jr., remarks by.....	40
11. The Supreme Court of Illinois.....	45
12. The Appellate Court of Illinois .....	50
13. Ratio of caseload per judge in all trial courts...	56
14. Trend of civil cases in Circuit and Superior Courts .....	58
15. Nature of termination of civil cases.....	75
16. Year of filing of jury cases reaching verdict....	76
17. Criminal Cases in Circuit Courts and Criminal Court of Cook County.....	77
18. Disposition of defendants in criminal cases.....	80
19. County and Probate courts.....	81
20. Age of civil cases in county courts.....	89
21. Probate proceedings .....	93
22. Trend of criminal cases in county courts.....	98
23. City, Town and Village courts.....	103
24. Assignment of judges .....	107
25. Comments on Supreme Court rules.....	107
26. Courthouses and related facilities.....	110

27. Report by John W. Freels.....	113
28. Caseloads in all Cook County Courts.....	116
29. Family Court of Cook County.....	120
30. County Court of Cook County.....	121
31. Terminations and age of pending cases in Cook County .....	122
32. Probate Court of Cook County.....	123
33. Municipal Court of Chicago.....	124
34. Trend of criminal and personal property tax cases .....	125
35. City, Village, Town and Municipal courts in Cook County .....	126
36. Cases filed and terminated by justices of the peace in Cook County.....	128



**INTRODUCTION BY JOHN C. FITZGERALD,  
DIRECTOR, ADMINISTRATIVE OFFICE  
OF THE ILLINOIS COURTS**

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

It is my privilege to provide the introduction for this annual report on the administration of the courts of the state for the calendar year 1963.

As the calendar year 1963 ended, Dean Harno concluded his service as Court Administrator but at the request of the Court, and upon my urging, continued on in a consultant capacity. The substance of this report is thus the final report by Dean Harno on his stewardship of the Office of Court Administrator. In view of the comprehensiveness of the materials prepared by the staff under the guidance and editorship of Dean Harno, this introduction is limited to a brief description of the personnel changes which have taken place within the Administrative Office of the Illinois Courts as a result of the demands of the new Judicial Article and its implementing legislation.

There follows this introduction a schema of the Illinois Judicial System indicating the relationship of judicial authority and of administration.

One year ago the personnel of the office consisted of six persons; a Court Administrator, a secretary, and an assistant in Springfield, a Deputy Court Administrator for Cook County, a secretary, and an assistant in Cook County. It had been anticipated that the work load of the office would be increased by the needs of the organization of the new Judicial Department under the new Judicial Article. This increase did take place. The increase paralleled the intensified activities of the many Supreme Court Committees, particularly the Conference of Chief Judges, described in the reports of Dean Harno and of the Deputy Administrative Director for Cook County, John W. Freels. In addition to the anticipated increase of activity, the Legislature, consistent with the spirit of the new Judicial Article and the concept of a Judicial Department, appropriated to the Supreme Court the sums required for judicial salaries and related judicial expenses. This required the creation with-

in the Administrative Office of a Fiscal Unit to process payrolls and vouchers for over 1200 persons. As a result, in May 1964, the personnel of the Administrative Office consisted of fifteen persons; a Director, Assistant Director, Head of the Fiscal Unit, an Executive Secretary, and five supporting members of the staff in Springfield, a Deputy Director for Cook County, an Assistant Director, an Executive Secretary, a Statistician, a Secretary and a part time Administrative Assistant in the Chicago Office. In addition, as stated above, Dean Harno consented to continue as a consultant through August, and thus through the most critical moments of the transitional period under the new Article.

The retirement of Dean Harno provides the occasion to record that the foundations of this office constructed by Henry P. Chandler in 1959-1960 and by Dean Harno from 1960 through 1963 are not in need of repair. They built expertly and on this foundation the expansion of the office to meet the mounting work-load has proceeded with confidence.

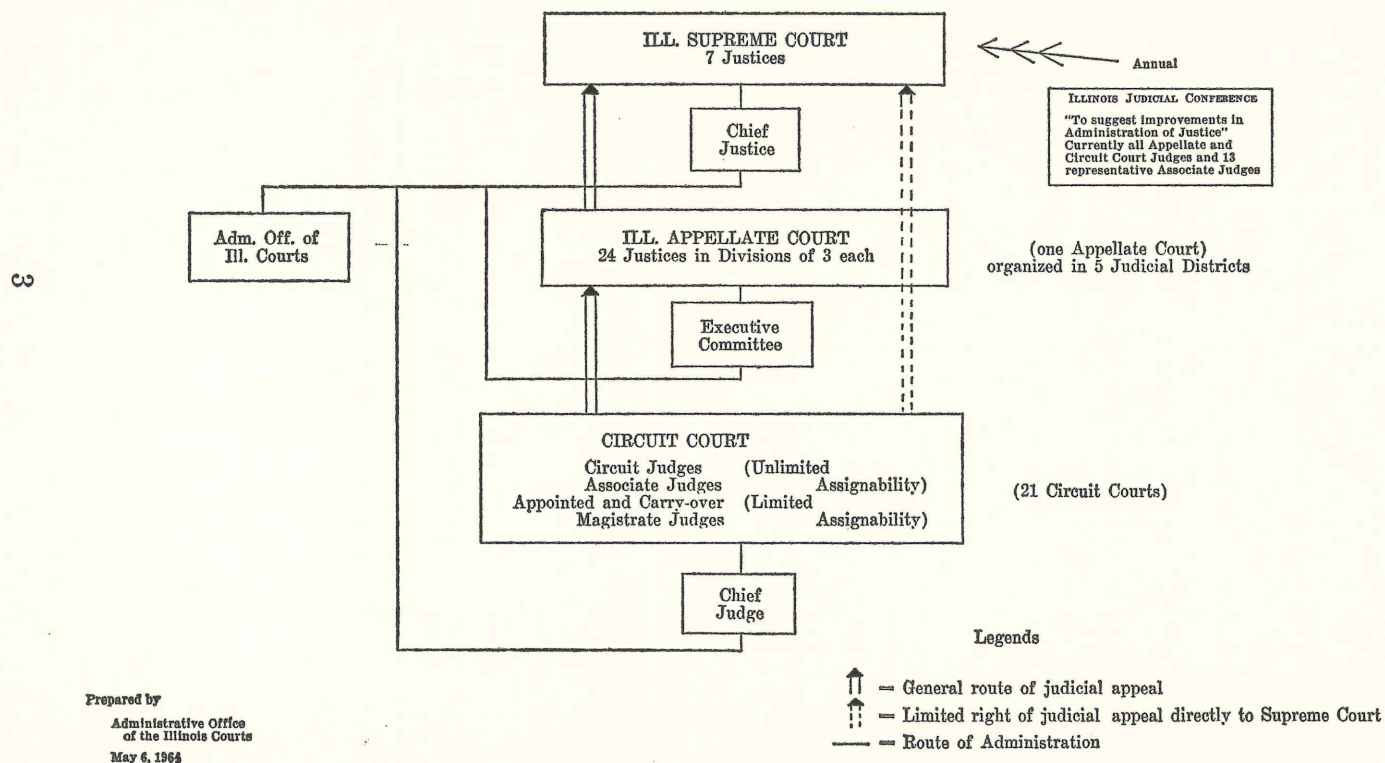
The dominant intent in preparing the annual report for calendar year 1963 is to provide a permanent description of the operation of the courts of Illinois before the effective date of the Judicial Article on January 1, 1964. It is against this report that all changes in the future under the new Judicial Article may be measured.

Both justice and propriety would be offended if I did not seize this opportunity of recording the generous guidance, leadership, and cooperation contributed to the Administrative Office by the many public officials, judges, clerks of court, and lawyers of this state. To these, and to the hundreds to whom the new Judicial Article was for decades merely a wistful hope, this offices pledges that "authority is service".

Respectfully submitted,

JOHN C. FITZGERALD

**ILLINOIS JUDICIAL SYSTEM—Effective 1-1-64**  
 (with Routes of Judicial Appeal and of Administration)





**REPORT BY ALBERT J. HARNO,**

**Court Administrator, 1960-1963, and now  
Consultant to the Administrative Office of the Courts**

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

I have the honor of presenting to you the report of the Court Administrator for the year 1963. On January 1, 1964 the new Judicial Article (Article VI of the Constitution) became effective. This is the last report and the last statistical data bearing on the court dockets and the status of litigation under the former Article. The statistical tables were prepared by Mr. Douglas Marti, now Assistant Administrative Director of the Illinois Courts. The Cook County statistics were prepared by Assistant Director Carl Rolewick. This is my final report as Court Administrator. The Seventy-third General Assembly repealed the Court Administrator Act (C. 37, Secs. 23e-23n, Rev. Stat., 1963) as of January 1, 1964. In accordance with Section 2 of the new Article, Your Honors have appointed Honorable John C. Fitzgerald as "Administrative Director" to assist the Supreme Court on matters relating to Court Administration.

**INTRODUCTORY STATEMENT**

Illinois' new Judicial Article is commonly regarded as the most progressive and comprehensive constitutional measure on the Judiciary ever adopted in any state. In this report I propose to make an appraisal of the impact of the Article on the over-all legal structure of the State, to evaluate some of the changes, actual and potential, that the Article has introduced, and to delineate those parts of our legal system that are likely to be affected by it.

I also wish to give recognition to the men who freely gave their time to the onerous and time-consuming labors involved in the drafting, securing the enactment and the implementation of the Article. The law in all of its phases stands in constant need of appraisal and often of revision. So was it with Article VI of the Constitution. The adherence of the people to the legal order will surely falter if our legal house is not kept in order. Somehow we (and this includes many members of the



legal profession as well as the public) have not envisioned the evolutionary characteristics of law; that law must be adapted to the emerging needs of society which is always in a process of change; that law which is not responsive to these emerging needs tends to become no more than a set of rules that do not govern well. Law that governs well must, indeed, have stability—it must have enduring qualities; but it must also be adaptable to the changing environment. Law reform is ever a challenge to men of enlightenment and good will, but the path to the achievement of reform is beset with many hazards that take their toll in “blood, toil, tears and sweat”.

### THREE AREAS OF THE LAW — APPLICATION OF THE ARTICLE

It has been said that the law is a “seamless web”, and the statement is descriptive. There are, however, three broad areas of the law—(1) substantive law, (2) legal procedures and (3) judicial structures and law administration—though the lines of demarcation among them are often not distinct. Each of these demands constant scrutiny and often revision and reform. In our appraisal of the new Judicial Article it may be informative to identify its possible application to each of these areas.

Recent examples of extensive revisions in the substantive law area are the *Uniform Commercial Code* and the *new Criminal Code*, both of which were enacted into law by the Illinois General Assembly in 1961. The new Judicial Article has no direct bearing on the substantive law. But illustrative of the seamless web of the law, the structural court reorganization projected by the Article, together with the resulting procedural changes, undoubtedly will have a salutary impact on litigation in substantive law areas. Clearly, the designations specified by the Article on the jurisdictions of the respective Courts—Supreme, Appellate and Circuit—will affect substantive law litigation.

An extensive revision of procedural law in the criminal field was established through the enactment by the General Assembly in its 1963 session of the new *Code of Criminal Procedure*. The new Article has several significant provisions bearing on legal procedures. Section 5 deals with appeals from the Appellate Court and the

Circuit Courts to the Supreme Court. Section 7 bears on appealable matters to the Appellate Court. A significant feature of the Article is the stress it repeatedly places on the rule-making power of the courts. The exercise of rule making has, in recent years, been a growing and salutary phenomenon. The emphasis the Article places on rule making is significant.

The following references to rule-making powers in the Article merit mention:

Under Section 2 general administrative authority over all the Courts in this State is vested in the Supreme Court which "shall be exercised by the Chief Judge in accordance with its rules";

Section 5 deals with appeals as a matter of right, to the Supreme Court from the Circuit Courts and the Appellate Court. The section then goes on to provide that "subject to rules", appeals may be taken in other cases by leave of the Supreme Court from either the Circuit Courts or the Appellate Court;

Relative to Appellate Court districts and divisions thereof, Section 6 provides that "each division shall sit at times and places prescribed by rules of the Supreme Court";

Section 7 prescribes what cases are appealable to the Appellate Court and then states that "the Supreme Court may provide by rule for appeals to the Appellate Court from other than final judgments of the Circuit Court";

Section 7 also states, in dealing with appeals to the Appellate Court, that "the Supreme Court shall provide by rule for expeditious and inexpensive appeals";

Section 18 bears on the retirement, suspension and removal of judges. The section has this provision: "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." This provision sets up a new procedure that has salutary implications. It supersedes the near useless procedure of impeachment;

Under Section 19 the "Supreme Court shall provide by rule for and shall convene an annual Judicial Conference to consider the business of the several courts and to suggest improvements in the administration of justice x x x".

Paragraph 1 of the Schedule provides: "After the adoption of this Article the General Assembly shall enact such laws and make such appropriations and the Supreme Court shall make such rules as may be necessary or proper to give effect to its provisions".

The Judicial Article is primarily devoted to the judicial structure—the framework of the judiciary—to court organization with flexibility in organization and to judicial administration. The Article also covers in some detail, in addition to the subjects previously mentioned, selection and tenure of judges, the appointment of magistrates, recall to service of retired judges, the terms of office of the judges, geographical division of the State into judicial districts and circuits, the selection or election of circuit clerks, and matters of court files and records.

I shall not undertake at this place to discuss the Article in detail. Suffice it here to say that the Article is the product of the labors of members of the Legislature, of the legal profession—judges and lawyers working with the assistance of interested laymen. In the main, it is the instrument that resulted from the dedicated labors of the members of a joint Committee of the Illinois State and Chicago Bar Associations and of committees of the Legislature. The enactment of the Article was preceded by a number of efforts to secure its approval that ended in frustrations. In 1953 the Joint Committee and committees of the Legislature, after strenuous labor and debate, presented a draft of it to the State Legislature but the bill failed to pass. In 1955 the draft of the Act was again introduced in the Legislature and again it failed to pass. In 1957 the Joint Committee reintroduced its draft, and this time, after some compromises, the Legislature approved it, but it failed

to receive from the voters the number of votes necessary for its confirmation. In 1961 the Joint Committee's draft was once more introduced in the Legislature and the Legislature again, after some compromises, approved the bill. On November 6, 1962 the Article was confirmed by a vote of the General Electorate.<sup>1</sup> The stipulated effective date of the Article was January 1, 1964. The New Judicial Article is now *fait accompli* as Article VI of the Constitution.<sup>2</sup>

### SOME PERSPECTIVE

#### *What is Justice?*

Legal literature is replete with the word "justice". We of the legal profession are writing and speaking constantly about justice and the administration of justice. But what is the meaning of justice? I have no thought of entering into a philosophical dissertation on this subject. The word "justice" has, in the legal context, various connotations and the meaning it conveys to some individuals often differs from that which it conveys to others. Also, the individual who follows court decisions is apt to appraise each case that falls within his purview by his individual sense of right and wrong. The question I wish to raise is whether the diverse meanings the word "justice" conveys to separate individuals may be one of the sources of popular dissatisfaction with law administration.

Justice, in the abstract, is one of the cardinal virtues, and as such is an ideal. Justice in the ideal sense is that constant and ever-present disposition to render every man his due. But justice as administered by the courts is not the administration of justice in the abstract and ideal sense. The administration of justice by the courts has many facets, a prominent one of which is that a judge in making a decision is not governed by his ideal sense of justice, but by his conception of justice in conformity to the law. Here is a potential source of popular

---

<sup>1</sup> See Fins, Analysis of Illinois Judicial Article of 1961 and its Legislative and Judicial Implementation, 11 DePaul L. Rev. 185, 186-188 (1962). Also, see articles by William M. Trumbull in the Chicago Bar Record.

<sup>2</sup> Chief Justice Vanderbilt's observation has meaning: "The improvement of the Machinery of Justice is no task for the short-winded." Quoted by Justice Brennan, 45 J. Am. Jud. Soc. 274 (1962).



dissatisfaction with the law and its administration that is as old as the law. Laws often become obsolete, or in a changing social and economic environment, stand in need of revision and reform. This cause of dissatisfaction can never be completely removed but it can be lessened and softened. The challenge is to the profession. The profession, working with enlightened members of the public, should constantly be on the alert on all phases of the law that stand in need of revision. The new Judicial Article does not deal directly with this problem, but the various improvements it projects on law administration should have a salutary effect on it, and the Article envisions in Section 19 an instrumentality for law improvement. This section enacts that the Supreme Court "shall provide by rule for and shall convene an annual Judicial Conference to consider the business of the several courts and to suggest improvements in the administration of justice x x x."

*Causes of Dissatisfaction with the Administration of Justice*

Varying conceptions of the meaning and import of justice and the resultant disappointments to individuals is but one of the causes of dissatisfaction with the administration of justice. Pound, in his now famous address, *The Causes of Popular Dissatisfactions With the Administration of Justice*,<sup>3</sup> summarized these causes as follows:

"The causes of dissatisfaction with any system of law I believe to be the following: (1) the necessarily mechanical operation of rules, and hence of laws; (2) the inevitable difference in rate of progress between law and public opinion; (3) the general popular assumption that the administration of justice is an easy task, to which anyone is competent, and (4) popular impatience of restraint."<sup>4</sup>

"Our system of courts," Pound went on to say, "is archaic in three respects: (1) in the multiplicity of Courts, (2) in preserving concurrent jurisdictions, (3) in the waste of judicial power which it involves."<sup>5</sup>

---

<sup>3</sup> 19 A. B. A. Rep., Part I, 395 (1906).

<sup>4</sup> Ibid., p. 397.

<sup>5</sup> Ibid., p. 409.

Pound commends the English Judicature Act of 1872 which projected a system of jurisdictional unity for the English Courts, but points out that the unity and simplicity of the original design for court organization was impaired in that the County Courts were not incorporated in the unified system and in that the appellate jurisdiction of the House of Lords was restored in 1875.<sup>6</sup>

All of the factors stressed by Dean Pound in his address in 1906 as contributing to the archaic system of our courts are areas in which reforms have been sought in recent years in a number of states in the United States, including, of course, Illinois with its new Judicial Article. But since the time of Pound's address a new factor has come to the fore, that of judicial administration. The battle for more expeditious administration was spearheaded by that great apostle of law reform, Arthur T. Vanderbilt.

"So far as I know," said Chief Justice Vanderbilt, speaking in 1955,

"the courts are the only nationwide or statewide businesses that have ever attempted to function without any administrative machinery. The federal government in 1939 was the first to set up such an organization on a large scale in the establishment of the Administrative Office of the United States Courts. New Jersey was the first state to do so by constitutional provision. x x x The movement is spreading; already California, Colorado, Connecticut, Iowa, Kentucky, Louisiana, Maryland, Michigan, Missouri, North Carolina, Oregon, Rhode Island, Virginia, the District of Columbia, and Puerto Rico have made provision for an administrative or similar office to assist in the various aspects of court administration x x x. If a judicial system is to handle effectively its primary work of deciding cases and appeals, it must be provided with a sound administrative organization capable of establishing administrative policies and carry them into effect."

Chief Justice Vanderbilt, though a pioneer in law reform, did not work alone. Other dedicated judges and

---

<sup>6</sup> Id.

<sup>7</sup> Vanderbilt, *The Challenge of Law Reform*, 96-97 (1955). Chief Justice Vanderbilt did not mention Illinois. Illinois had not yet come to the fore at the time he spoke.



lawyers joined in the battle. Mention should be made of the constructive leadership on matters of law revision and reform of the American Judicature Society and other organizations. The American Judicature Society, devoted to the promotion of the efficient Administration of Justice, was founded in 1913 by Herbert L. Harley. In 1961, the Section of Judicial Administration of the American Bar Association summarized the objectives of the American Bar Association on judicial reforms as follows:

“(1) The integration of the judiciary through the establishment and active functioning of judicial councils, judicial conferences, the administrative judge and administrative office of the courts. x x x,

(2) The delegation of the rule-making power to the courts of highest jurisdiction, and through the exercise of that power, the consequent improvement of pleading, trial practices, and appellate procedure. x x x,

(3) The improvement of the jury system and the methods of selection of jurors. x x x,

(4) The adoption of pretrial conferences and discovery procedures. x x x,

(5) The simplification of the law of evidence. x x x,

(6) The improvement of Administrative tribunals and the practice before them. x x x.”<sup>8</sup>

The report of the Section emphasized the ever increasing population of the United States and the resultant increases in litigation. “One obvious answer to the increase in judicial business”, commented the Report,

“has been, and still is, the establishment of additional judgeships but this very development increases the need for some sort of administrative machinery for the efficient utilization of judicial manpower. Historically, ‘each judge paddled his own canoe’ under a ‘go-as-you please system’, as Chief Justice Taft once put it. But it was found that

---

<sup>8</sup> The Improvement of the Administration of Justice, Handbook, Sec. of Jud. Adm. of A.B.A. p. 1 (1961).

when each judge had to concern himself with problems of courthouse personnel, in budget matters, law and motion calendars, scheduling of court and jury trials and the impanelling of jurors, the sheer multiplicity of administrative detail exhausted the judge's time and energy. Some system had to be devised which freed the judge from burdensome administrative problems and at the same time preserved his traditional independence in judicial functions.'"<sup>9</sup>

I do not intend to trace the historical development of judicial reform in the United States, e.g., the Albert M. Kales draft, the Missouri Plan and the Model Judicial Article of the American Bar Association, nor do I wish to describe all of the recent activities on this subject in the various states. In 1962 the Supreme Court of Puerto Rico, with the assistance of the American Judicature Society, conducted a Round Table Conference on the Administration of Justice. Puerto Rico had recently enacted a new constitutional article on the judiciary. Chief Justice Warren and Justices Brennan and Clark headed the list of visiting judges at that Conference. In his address on that occasion, Justice Brennan spoke on the subject *The Administrative Judge—The Key to Effective Court Management*.<sup>10</sup> In speaking on the new constitutional provision in Puerto Rico, Justice Brennan commented:

"Your solution, too, borrowed from industry and commerce one of America's greatest contributions to the progress of mankind, namely, the principles of business management which have done so much to advance us to the place of the world's greatest productive economy. You also created a simple unified judicial system, giving the Supreme Court exclusive authority over its administration under rules formulated by it x x x. You ordained flexibility for the system by vesting the power in the Chief Justice to assign judges according to experience, ability and need, and apportioned judicial business among the courts, divisions and parts according to the volume and type of cases. The aim was three-fold: (1) to abolish jurisdictional controversies

---

<sup>9</sup> Ibid., 11-12

<sup>10</sup> 45 J. Am. Jud. Soc. 272 (1962).



which delay justice and waste time and money of litigants and courts; (2) to assure that judicial resources would be fully utilized and litigation promptly decided; (3) to secure businesslike management of the courts through a single administration for all of them as integrated parts of a single whole, and thus to promote simplified and more economical judicial procedure."<sup>11</sup>

An agency that has done outstanding work in recent years in advancing the cause of justice is the Joint Committee for the Effective Administration of Justice of the American Bar Association. Mr. Justice Tom C. Clark of the Supreme Court of the United States is chairman of that Committee. Fourteen legal organizations have been working in cooperation with the Committee. One of the principal lines of attack of the Committee has been the projection of seminars for judges in various parts of the United States. Among the topics that have been under discussion are pretrial, discovery, jury selection, instructions, search and seizure, publicity prior and during the trial and assigned counsel. The Joint Committee has also projected a College for New Trial Judges. On the broad subject of justice as administered by the courts the Committee has formulated the following statement:

“JUSTICE IS EFFECTIVE WHEN . . .

*Fairly Administered Without Delay*

With all litigants, indigent and otherwise, and especially those charged with crime, represented by competent counsel,

*By Competent Judges*

Selected through non-political methods based on merit,

In sufficient numbers to carry the load,  
Adequately compensated, with fair retirement benefits,

With security of tenure, subject to an expeditious method of removal for cause,

*Operating in a Modern Court System*

Simple in structure, without overlapping jurisdictions or multiple appeals,

---

<sup>11</sup> Ibid., 272-273.

Businesslike in management with non-judicial duties performed by a competent administrative staff,

With practical methods for equalizing the judicial work load,

With an annual conference of the judges for the purpose of appraising and improving judicial techniques and administration,

*Under Simple and Efficient Rules of Procedure*

Designed to encourage advance trial preparation,

Eliminate the element of surprise,

Facilitate the ascertainment of the truth,

Reduce the expense of litigation,

And expedite the administration of justice.''

### ILLINOIS' NEW JUDICIAL ARTICLE

The former Illinois Judicial Article was a striking example of a court structure that the great pioneers of reform inveighed against, and our new Judicial Article is a fulfillment for Illinois of a structure these leaders so eloquently advocated. In some areas, in fact, the Illinois Article surpasses the judicial structure projected by the leaders of reform. In one phase Illinois did not quite measure up to the objectives proposed—the procedures involved in the selection of judges. It is in the areas of judicial administration and flexibility in administration, of the consolidation and unification of all trial courts into one court of original jurisdiction—the Circuit Court—and in the elimination of justices of the peace and police magistrates and replacing them by magistrates appointed by the circuit courts that the Illinois Article stands in the forefront of judicial reform in the United States.

#### *Administration*

The former Illinois Judicial Article had no specific provisions on judicial administration. The new Article provides, Section 2, "General administrative authority



over all courts in this State x x x is vested in the Supreme Court and shall be exercised by the Chief Justice in accordance with its rules". The Supreme Court, under the new Article, is authorized (1) to appoint an administrative director and staff, (2) to assign judges to courts other than the ones for which they were selected with the consent of the Chief Judge of the Circuit to which the assignment is made, (3) to convene an annual judicial conference to consider the business of the courts and to suggest improvements in the administration of justice, (4) to provide by rule for expeditious and inexpensive appeals, (5) to assign additional judges to the Appellate Court from time to time as the business of the Court requires, (6) to provide by rule for appeals to the Appellate Court from other than final judgments of the Circuit Court, (7) to adopt rules as may be necessary and proper to give effect to the Judicial Article.

An outstanding feature of the Article relates to the provision for the administration of the trial courts in each of the circuits. Section 8 of the Article provides:

"The circuit judges and associate judges in each circuit shall select one of the circuit judges to serve at their pleasure as Chief Judge of such circuit. Subject to the authority of the Supreme Court, the Chief Judge shall have general administrative authority in the court, including authority to provide for divisions, general or specialized, and for appropriate times and places of holding court."

This is a highly progressive and salutary measure. The objective is the efficient administration of the courts. The potentialities of the measure are to make full use of the judge-manpower in each of the circuits, to reduce judicial friction and delays and expense in litigation.

The provision has given impetus to a constructive and very promising development. The Chief Judges of the various circuits have been meeting regularly in conference at least once a month to discuss their problems and to search for solutions for them. These conferences were, in fact, initiated before the effective date of the Article. Under a rule of the Supreme Court, enacted in September 1963, each of the circuits elected a Chief Judge *pro tem* and the Chief Judges so elected conducted several conferences before January 1, 1964, the effective date of the Article.

The framework of authority projected by the Article for the efficient administration of justice is thus apparent. General administrative authority over all of the courts of the State, including the Appellate Court and the circuit courts, is vested in the Supreme Court, and the Chief Judge elected in each of the circuits has, subject to the authority of the Supreme Court, administrative authority over all of the courts of original jurisdiction in his circuit.

#### *Judicial Structure and Jurisdiction*

The jurisdiction of the various Illinois courts under the former Article VI of the Constitution presented a complicated picture. The former Article provided for a Supreme Court and an Appellate Court and specified the jurisdiction of these courts. It was in the courts of original jurisdiction that we encountered a complex which involved a multiplicity of courts with concurrent and overlapping jurisdiction, and in which each court operated independent of the other courts. The following courts were involved:

A circuit court with statewide original jurisdiction in all cases and with some appellate jurisdiction; Superior Court of Cook County with concurrent jurisdiction with the Circuit Court; County Court in each county with special jurisdiction that overlapped in part with that of the Circuit Court; Probate Court with special jurisdiction; Criminal Court of Cook County with concurrent jurisdiction, but limited to criminal cases, with the Circuit Court; statutory municipal, city, town and village courts, with jurisdiction overlapping with that of the Circuit Court; justice of the peace and police magistrate courts, with limited jurisdiction.

Here was a situation that was fraught with frictions and jurisdictional disputes resulting in delays and expense to the litigants.

The new Judicial Article has rid our judicial system of this maze of courts and has projected in its stead a simple judicial structure. Section 1 of the Article provides that "the judicial power is vested in a Supreme Court, an Appellate Court and Circuit Courts". Section 5 defines the jurisdiction of the Supreme Court, and Section 7 that of the Appellate Court.

Under the former court system, Appellate Court



judges were appointed by the Supreme Court from among the circuit judges of the State. After their appointment they served in two capacities, namely, as circuit judges to which office they had been elected and as Appellate Court judges to which office they had been appointed. Under the new Article the Appellate Court judges will serve on full time in that office and all will be elected for the first time in November 1964 (C. 46, s. 555, Ill. Rev. Stats., 1963). Section 9 deals with the jurisdiction of the Circuit Courts. In contrast with the provisions of the former Article, section 9 of the new Article is notably concise and reads as follows:

“The Circuit Court shall have unlimited original jurisdiction of all justiciable matters, and such powers of review of administrative action as may be provided by law.”

Section 8 of the Article provides that “there shall be one Circuit Court for each judicial circuit which shall have such number of circuit and associate judges and magistrates as may be prescribed by law; x x x”. (This is followed by some provisos). Observe the meaningful flexibility of these sections.

Paragraph 5 of the Schedule of the Article directs:

“All x x x city, village and incorporated town courts, municipal courts, county courts, probate courts, the Superior Court of Cook County, the Criminal Court of Cook County and the Municipal Court of Chicago are abolished and all their jurisdiction, judicial functions, powers and duties are transferred to the respective circuit courts x x x.”

Paragraph 4 of the Schedule bears on the status of the judges of the above mentioned courts that have been abolished. The paragraph provides:

“In Cook County, the Judges of the Superior Court, the Probate Court, the County Court, and the Chief Justice of the Municipal Court of Chicago shall be circuit judges; the judges of the Municipal Court of Chicago, the judges of the several municipal, city, village and incorporated town courts shall be associate judges of the circuit court.

“In counties other than the County of Cook, the county judges, probate judges, and the judges of municipal, city, village and incorporated town

courts shall be associate judges of the Circuit Court."

#### *Justices of the Peace and Police Magistrates*

There were serving in Illinois in the year 1963 approximately 1100 justices of the peace and police magistrates — 442 justices of the peace and 655 police magistrates. It has been difficult to get an accurate check on the number of police magistrates. The total number of justices of the peace and police magistrates was somewhat reduced before the end of the year through resignations and the number of police magistrates was further reduced as a result of the enactment by the last General Assembly of Senate Bill 126, which bill prohibited the election of police magistrates in municipalities under 10,000 in population.

Under paragraph 5 of the Schedule of the Article all justices of the peace and police magistrate courts were abolished on January 1, 1964, the effective date of the Article and "all their duties" were transferred to the respective Circuit Courts. On that date, all justices of the peace and police magistrates then serving became, as provided in paragraph 4 of the Schedule, magistrates of the Circuit Court which position they may hold for the remainder of their terms. The terms of all justices of the peace and that of many police magistrates will expire in 1965.

Section 12 of the Article provides that "subject to law, the circuit judges in each circuit shall appoint magistrates to serve at their pleasure". Since the circuits now have a number of holdover magistrates, no new magistrates will be appointed until the terms of the holdover magistrates expire, except in a limited number of jurisdictions of which Chicago in the Cook County Circuit is an example. Senate Bill 953 (C. 37, s. 160.2, Ill. Rev. Stats., 1963) enacted by the last General Assembly, sets up a schedule for the appointment of magistrates. Senate Bill 953 (C. 37, s. 160.3, Ill. Rev. Stats., 1963) also specifies the qualifications for newly appointed magistrates among which are that they must be licensed to practice law, but provides that magistrates holding office after January 1, 1964, shall be eligible for appointment upon resignation or upon the expiration of their terms, and it provides further that if a circuit has no attorneys available for appointment, non-attorneys are eligible for the office.



### *Selection and Tenure*

The question of the selection and tenure of members of the judiciary has long been a crucial one with the judiciary and in legal circles. In 1962 a model judicial article for state constitutions, drafted by a committee of the Section of Judicial Administration of the American Bar Association, was presented to and approved by the House of Delegates of the American Bar Association. The provisions on selection and tenure of that model Article are reproduced in part as follows:

*"Nomination and Appointment.* A vacancy in a judicial office in the state, other than that of magistrate, shall be filled by the Governor from a list of three nominees presented to him by the Judicial Nominating Commission. If the Governor should fail to make an appointment from the list within sixty days from the day it is presented to him, the appointment shall be made by the Chief Justice or the Acting Chief Justice from the same list. Magistrates shall be appointed by the Chief Justice for a term of three years. x x x

*"Term of Office.* At the next general election following the expiration of three years from the date of appointment, and every ten years thereafter so long as he retains his office, every justice and judge shall be subject to approval or rejection by the electorate. x x x"

The Judicial Article draft that was submitted to the Illinois General Assembly in 1961, and other drafts submitted to the General Assembly on previous occasions by the Joint Committee of the Illinois State and Chicago Bar Associations contained the substance of the provisions on selection and tenure of the Model Article. There were objections and debate in the Legislature on these proposals, which resulted in the adoption of compromise measures. Many of the objections to the provisions proposed originated with individuals and groups outside of the Legislature.

Paragraph 4 of the Schedule of the Illinois Article provides that all judges of the State and justices of the peace and police magistrates "in office on the effective date of this Article shall continue to hold office until the expiration" of their terms, and that during that period "police magistrates and justices of the peace shall be magistrates of the several circuit courts x x x". Under Section 10 of the Article all judges "provided for herein

shall be nominated by party conventions or primary and elected at general elections by the electors in the respective judicial districts, circuits, counties, or units. Provided, however,

“the General Assembly may provide by law for the selection and tenure of all judges provided herein as distinguished from nomination and election, by the electors, but no law establishing a method of selecting judges and providing their tenure shall be adopted or amended except by a vote of two-thirds of the members elected to each House, nor shall any method of selecting judges and providing for their tenure become law, until the question of the method of selection be first submitted to the electors at the next general election. If a majority of those voting upon the question shall favor the method of selection or tenure as submitted, it shall then become law.”

The General Assembly in its session in 1963 enacted legislation which provides that all candidates for judicial office of any political party “shall be nominated at a convention of delegates of such party.” (C. 46, s. 9-1, Ill. Rev. Stats., 1963).

On the subject of “Retention in Office” section 11 of the Article provides:

“Not less than six months prior to the general election next preceding the expiration of his term of office, any judge previously elected may file in the office of the Secretary of State a declaration of candidacy to succeed himself, and the Secretary of State, not less than 61 days prior to the election, shall certify such candidacy to the proper election officials. At the election the name of each judge who has filed such a declaration shall be submitted to the voters, on a special judicial ballot without party designation, on the sole question whether he shall be retained in his office for another term. x x x.”

#### *Judicial Article Implementation Committees*

The following lists show the membership of various Committees that labored on the implementation of the Judicial Article. Many additional judges and lawyers worked on this task, but it is difficult to get all of their names and to classify what they did on this undertaking. We salute all who had a part in it.



**Illinois Judicial  
Advisory Council**

\*Alan J. Dixon (Belleville)  
Tobias Barry (Ladd)  
Robert L. Burhans (Peoria)  
John Cassidy, Sr. (Peoria)  
Paul F. Elward (Chicago)  
John G. Gilbert (Carbondale)  
William A. Holmquist (Waukegan)  
Everett E. Laughlin (Freeport)  
Joseph A. Londrigan (Springfield)  
Prentice H. Marshall (Chicago)  
Bernard McDevitt (Chicago)  
Donald J. O'Brien (Chicago)  
Thomas F. Railsback (Moline)  
John Ritchie III (Chicago)  
Arthur W. Sprague (LaGrange)

**Cook County Judicial  
Advisory Council**

\*Cornelius J. Harrington  
John S. Boyle  
Peter Fitzpatrick  
Arthur A. Sullivan  
Harold G. Ward

**Joint Committee on Implementation  
of the Judicial Article**

\*William M. Trumbull (Chicago)  
Mel Abrahamson (Naperville)  
Thaddeus V. Adesko (Chicago)  
J. William Braithwaite (Chicago)  
Abraham W. Brussell (Chicago)  
Joseph Burke (Chicago)  
William C. Calvin (Clinton)  
Wayland B. Cedarquist (Chicago)  
Rubin G. Cohn (Urbana)  
Harry G. Fins (Chicago)  
John C. Fitzgerald (Springfield)  
Frederick S. Green (Urbana)  
Albert E. Jenner, Jr. (Chicago)  
Louis A. Kohn (Chicago)  
William J. Lynch (Chicago)  
Thomas J. Moran (Waukegan)  
John E. Pavlik (Calumet City)  
John T. Reardon (Quincy)  
Edward P. Saltiel (Chicago)  
A. J. Scheineman (Sterling)  
E. Douglas Schwantes (Chicago)  
Eugene L. Wachowski (Chicago)  
Jerome S. Weiss (Chicago)  
Samuel W. Witwer (Chicago)

**Joint Committee on  
Magistrate Courts**

\*John A. Nordberg  
Catherine C. Anagnost  
Maurice L. Bluhm  
Frederic F. Brace, Jr.  
Daniel L. Cliffe  
Norman N. Eiger

\* Chairman.

Irving W. Eiserman  
Morton C. Elden  
Robert D. Ericsson  
Donald H. Haider  
James W. Kissell  
Norman A. Korfist  
Harold I. Levine  
Ivan H. Light  
Maurice C. McCarthy  
Glenn W. McGee  
Arthur G. McLendon  
Alvan F. Morse  
Philip Nicolosi  
J. W. Olson  
Romie J. Palmer  
Francis X. Poynton  
C. Harker Rhodes, Jr.  
Robert Schwartz  
Robert C. Strodel  
Elmer J. Tone  
Albert Tuxhorn  
Louis A. Wexler  
Clell L. Woods

**Supreme Court Constitutional  
Coordinating Committee**

\*August J. Scheineman (Sterling)  
Mel Abrahamson (Naperville)  
Augustine J. Bowe (Chicago)  
Robert L. Burhans (Peoria)  
Joseph Burke (Chicago)  
Henry W. Dieringer (Chicago)  
Alan J. Dixon (Belleville)  
Peter Fitzpatrick (Chicago)  
Frederick S. Green (Urbana)  
Albert E. Jenner Jr. (Chicago)  
Daniel J. McNamara (Chicago)  
Harold P. O'Connell (Chicago)  
John E. Pavlik (Calumet City)  
Barnabas F. Sears (Chicago)  
William M. Trumbull (Chicago)  
Clell L. Woods (Springfield)

**Illinois Judicial Conference  
Executive Committee**

\*John F. Spivey (Danville)  
Henry L. Burman (Chicago)  
Wilbert F. Crowley (Chicago)  
John T. Dempsey (Chicago)  
Roy O. Gulley (Benton)  
Thomas E. Kluczynski (Chicago)  
Arthur J. Murphy (Chicago)  
Harold P. O'Connell (Chicago)  
John T. Reardon (Quincy)  
Burton A. Roeth (Canton)  
August J. Scheineman (Sterling)  
Rodney A. Scott (Sullivan)  
Roy J. Solfisburg (Aurora)  
(Liaison Member)

**Secretariat:**

Administrative Office  
John W. Freels  
Carl H. Rolewick

**ISBA—Section on Civil  
Practice and Procedure  
Committee on Forms**

**Co-Chairmen:**

Peter Fitzpatrick (Chicago)  
Ben Liss (Chicago)

**Members:**

Joseph P. Carr (Chicago)  
Julius Jesmer (Chicago)  
George Kaye (Chicago)  
William J. McKenna (Chicago)  
George F. Nichols (Dixon)  
Thomas P. Sullivan (Chicago)  
Philip W. Tone (Chicago)  
Lloyd J. Tyler (Aurora)  
William E. Gainer (Chicago)  
\*\*Austin Fleming (Chicago)  
\*\*Morton J. Barnard (Chicago)

**Ex-Officio Other Members of  
Council of Section on Civil  
Practice and Procedure:**

John P. Callahan, Jr. (Elgin)  
Robert S. Hill (Benton)  
Thomas Meyer (Belleville)  
Alfred F. Newkirk (Springfield)  
Donald V. O'Brien (Chicago)

**ISBA—Section on Civil  
Practice and Procedure  
Circuit Court  
Records Committee**

\*Joseph P. Carr  
Joseph Burke  
John P. Callahan, Jr.  
Caswell J. Crebs  
Clarence W. DeMoss  
Alan J. Dixon  
John Dixon  
Peter Fitzpatrick  
William E. Gainer  
John J. Gallagher  
John Hall  
Robert S. Hill  
George Kaye  
Ben Liss  
Joseph J. McDonough  
Jack Metzger  
S. Thomas Meyer  
Alfred E. Newkirk  
George F. Nichols  
Donald J. O'Brien  
Stanley Palluck  
Stanley Palmer  
William K. Richardson  
Bernard Smith  
Thomas P. Sullivan  
Philip W. Tone  
Lloyd J. Tyler, Jr.  
Harold L. Zimmerman

\* Chairman.

\*\* Advisory—Probate.

**Secretary - pro tem  
Carl H. Rolewick**

**Supreme Court  
Committee on Jury  
Instructions - Civil**

\*Gerald C. Snyder  
Harold A. Baker  
Harry R. Begley  
Henry L. Burman  
Philip H. Corboy  
Robert F. Cotton  
Louis G. Davidson  
Richard G. Finn  
John F. Grady  
Albert E. Hallett  
Thomas A. Keegan  
Joseph B. Lederleitner  
George F. Limerick  
Carl R. Miller  
Stebbins Nelson  
John G. Poust  
Don H. Reuben  
A. J. Scheineman  
Victor J. Stone  
James B. Wham

**Supreme Court  
Committee on Jury  
Instructions - Criminal**

\*Prentice H. Marshall  
J. Waldo Ackerman  
Marvin E. Aspen  
William J. Bauer  
David E. Bradshaw  
James P. Chapman  
George J. Cotstirilos  
Robert E. English  
Harry I. Hannah  
Alexander J. Napoli  
Robert B. Oxtoby  
Jerold S. Solovy  
Harold W. Sullivan  
Thomas P. Sullivan  
Raymond L. Terrell  
Morris J. Wexler  
William J. Winger

**CBA—Committee on Revision  
of the Circuit Court Rules**

\*Mural J. Winstin  
John S. Boyle  
Joseph J. Drucker  
Samuel B. Epstein  
Peter Fitzpatrick  
Julius Jesmer  
Milton Joseph  
Ben Liss  
Benjamin Mackoff  
John G. Poust  
Harry Reese  
Arthur A. Sullivan  
Irving G. Swenson  
Eugene L. Wachowski  
Harold G. Ward



**CBA—Committee on Revision of the  
Circuit Court Rules (Continued)**

**Secretary - Recording**

Carl H. Rolewick

**Chief Judges Committee**

\*Charles G. Seidel  
John S. Boyle  
Richard T. Carter  
Harold R. Clark  
Robert F. Cotton  
Caswell J. Crebs  
Daniel H. Dailey  
Creel Douglass  
Gale A. Mathers  
Dan H. McNeal  
Martin E. Morthland  
David E. Oram  
Albert S. O'Sullivan  
Bert E. Rathje  
John T. Reardon  
J. E. Richards  
Howard C. Ryan  
Glenn K. Seidenfeld  
Leland Simkins  
Leon A. Zick  
Harold L. Zimmerman

**Secretariat:**

Administrative Office  
John C. Fitzgerald  
Douglas Marti

**Supreme Court  
Cook County Judicial  
Organization Committee**

\*Arthur J. Murphy  
Thaddeus V. Adesko  
Walker Butler  
Thomas J. Courtney  
Thomas C. Donovan  
Robert Jerome Dunne  
Joseph A. Power  
Maurice J. Schultz  
Eugene L. Wachowski  
Harold G. Ward

**Secretary:**

John C. Fitzgerald

**Supreme Court Downstate  
Judicial Organization  
Committee**

\*John T. Reardon (Quincy)  
Victor N. Cardosi (Kankakee)  
Richard T. Carter (Belleville)  
Caswell J. Crebs (Robinson)  
DeWitt S. Crow (Springfield)  
John Dixon (Dixon)

\* Chairman.

Gale A. Mathers (Knoxville)  
Thomas J. Moran (Waukegan)  
John S. Petersen (Aurora)  
Robert J. Sanders (Shelbyville)  
Rodney A. Scott (Sullivan)  
Leland Simkins (Mt. Pulaski)  
Robert F. Small (Nashville)  
Stanley Thomas (Springfield)  
Clarence E. Wright (Carbondale)  
Albert N. Zettinger (Aurora)

**Secretariat:**

Albert J. Harno  
Douglas Marti

**Supreme Court  
Courthouse and  
Related Court Facilities  
Downstate Committee**

\*Daniel H. Dailey (Taylorville)

**Second District:**

\*William C. Atten (Wheaton)  
Marvin F. Burt (Freeport)  
William M. Carroll (Woodstock)  
Cassius Poust (DeKalb)  
Albert S. O'Sullivan (Belvidere)

**Third District:**

\*George O. Hebel (Aledo)  
Henry J. Ingram (Peoria)  
David E. Oram (Watseka)  
Burton A. Roeth (Canton)  
Howard C. Ryan (Tonica)

**Fourth District:**

\*Robert F. Cotton (Paris)  
Creel Douglass (Springfield)  
Birch E. Morgan (Monticello)  
R. Burnell Phillips (Pontiac)

**Fifth District:**

\*Daniel H. Dailey (Taylorville)  
Joseph J. Barr (Wood River)  
Roy O. Gulley (Benton)  
Quinten Spivey (East St. Louis)  
Harold L. Zimmerman (Marion)

**Secretary:**

Rubin G. Cohn

**Supreme Court  
Judicial Backlog  
Committee**

\*Arthur J. Murphy  
Wilbert F. Crowley  
Henry W. Dieringer  
Thomas C. Donovan  
Joseph J. Drucker  
Thomas E. Kluczynski  
Harold G. Ward

**Chicago Bar Association  
Special Committee to Act  
as Liaison with the Supreme  
Court's Committee on Backlog  
and Cook County Judicial  
Organization Committee**

\*Perry L. Fuller  
Gordon R. Close  
Philip H. Corboy  
James A. Dooley  
Donald J. O'Brien  
Walter W. Ross, Jr.  
E. Douglas Schwantes  
John J. Sullivan  
Percival E. Thompson

**Supreme Court  
Rules Committee**

\*Owen Rall (Chicago)  
Jason E. Bellows (Chicago)  
Edward W. Cleary (Urbana)  
Joseph J. Drucker (Chicago)  
Seely P. Forbes (Rockford)  
Robert S. Hunter (Quincy)  
Jo Desha Lucas (Chicago)  
John V. McCormick (Chicago)  
Richard H. Mills (Virginia)  
Don H. Reuben (Chicago)  
Willis P. Ryan (Mattoon)  
Samuel O. Smith (Girard)  
Robert L. Stern (Chicago)  
Philip W. Tone (Chicago)  
Leo K. Wykell (Chicago)

**House Judicial  
Reform Committee**

Source: ISBA Legislative Bulletin,  
Vol. 9, No. 7, dated March 8, 1963

\*Robert L. Burhans (Peoria)  
\*\*Jack Bairstow (Waukegan)  
Clyde L. Choate (Anna)  
Paul F. Elward (Chicago)  
Joseph R. Hale (Ridgeway)  
Paul F. Jones (Rochelle)  
Noble W. Lee (Chicago)  
Ed Lehman (East St. Louis)  
Edwin A. McGowan (Harvey)  
Bernard M. Peskin (Northbrook)  
Leo Pfeffer (Seymour)

\* Chairman.  
\*\* Deceased.

William E. Pollack (Chicago)  
John F. Wall (Chicago)  
Kenneth E. Wilson (Chicago)  
Frank C. Wolf (Chicago)

**Senate Judicial  
Revision Committee**

Source: ISBA Legislative Bulletin,  
Vol. 9, No. 3, dated February 1, 1963

\*Arthur W. Sprague (LaGrange)  
Robert R. Canfield (Rockford)  
Robert Coulson (Waukegan)  
David Davis (Bloomington)  
Alan J. Dixon (Belleville)  
T. Mac Downing (Macomb)  
George E. Drach (Springfield)  
Edward C. Eberspacher (Shelbyville)  
Seymour Fox (Chicago)  
John G. Gilbert (Carbondale)  
Arthur R. Gottschalk (Park Forest)  
Nathan J. Kinnally (Chicago)  
Everett E. Laughlin (Freeport)  
Robert W. McCarthy (Lincoln)  
John P. Meyer (Danville)  
Bernard S. Neistein (Chicago)  
Donald J. O'Brien (Chicago)  
Joseph R. Peterson (Princeton)  
Hudson R. Sours (Peoria)

**Supreme Court Committee  
on Appellate Courts for  
the State of Illinois**

\*Mel Abrahamson (Naperville)  
John T. Dempsey (Chicago)  
John F. Spivey (Danville)  
Clarence E. Wright (Carbondale)

**Appellate Court—  
Executive Committee**

\*Joseph Burke  
Mel Abrahamson  
DeWitt S. Crow  
John T. Culbertson  
Franklin R. Dove  
Robert E. English  
Arthur J. Murphy  
Ulysses S. Schwartz

**Secretariat:  
Administrative Office**



**MAJOR LEGISLATION ENACTED BY THE  
73RD GENERAL ASSEMBLY TO IMPLEMENT  
JUDICIAL ARTICLE<sup>13</sup>**

There was much activity in the Seventy-Third General Assembly on the enactment of legislation to implement the new Judicial Article. The following are synopses of the principal bills that were passed:<sup>14</sup>

**LAWS DESIGNED TO ELIMINATE AND PREVENT  
ORGANIZATION OF UNNEEDED COURTS AND  
TO PREVENT FILLING OF VACANCIES**

**S. B. 126 (C. 24, s. 3-3-3.1)**

Prohibits the election of police magistrates in municipalities under 10,000 population.

**H. B. 1403-4 (C. 37, s. 23k.1)**

Permits County Boards to assign J.P.'s to municipalities under 10,000 where necessary.

(Companion Bills to S. B. 126)

**H. B. 9-11 (C. 37, secs. 353-1, 503.1; C. 24, s. 3-3-1)**

Prohibits the creation of new city or village courts, new municipal courts or new police magistracies.

**H. B. 1331 (C. 79, s. 71)**

Prohibits filling vacancies in the office of justices of the peace.

**H. B. 629 (C. 37, s. 72. 41)**

Provides that vacancies in the office of associate judge shall not be filled unless

- (1) in any county of less than 60,000 there remains no other resident associate judge, or
- (2) in any county of 60,000 or more, other than Cook, there remains only one resident associate judge, or
- (3) in Cook County outside of Chicago there remain fewer than 12 resident associate judges, or
- (4) in Chicago there remains fewer than 36 resident associate judges.

**MAGISTRATES**

**S. B. 871 (C. 89, secs. 4, 9, 10, 16)**

Authorizes magistrates to perform marriages.

**S. B. 872 (C. 53, s. 8.1)**

Provides that justices of the peace and police magistrates who become magistrates of the Circuit Court

<sup>13</sup> Much of the work on the preparation of these materials was done by Douglas Marti, Assistant Administrative Director.

<sup>14</sup> All citations to statutes bearing on these synopses are to the Illinois Revised Statutes, 1963.

be paid by the State at the same annual rate paid to them immediately prior to January 1, 1964 by counties and municipalities.

(C. 53, s. 8.2)

The municipal treasurer in case of police magistrates and county treasurer in case of justices of the peace shall on or before November 1, 1963 certify to the Auditor the name and annual salaries paid to these officials.

S. B. 315-323 (C. 7½, s. 6; C. 24, secs. 2-10, 2-3-6; C. 31, s. 25; C. 34, s. 213; C. 42, s. 249; C. 46, secs. 5-17, 7-31; C. 101, s. 2; C. 111½, s. 9; C. 121, s. 6-117)

Removes reference to J.P.'s in various acts pertaining to non-judicial functions of J.P.'s, i.e., canvassing certain elections, acting as deputy coroner, revising registry of voters, and administering oaths.

S. B. 953 (C. 37, secs. 160.1 to 160.5)

Fixes the number of appointed magistrates after April 1, 1965, at a maximum of 208 for the entire State (107 downstate — 101 Cook County), except that certain associate judgeships that become vacant will authorize additional magistrates. Prior to 1965 there will be a maximum of 4 appointed downstate and 62 in Cook County unless the number of hold-over magistrates decreases. Magistrates must be lawyers, except (1) when no lawyers are available; (2) J.P.'s and P.M.'s holding over on 1/1/64 are eligible for appointment. Magistrates shall not practice law or hold office in any political party.

S. B. 873 (C. 53, s. 3.2)

Sets salary of magistrates at \$10,000.00 per annum from the State, with the County Board of Cook County authorized to supplement this in an amount not to exceed \$6,000.00 per annum (within the discretion of the Board).

H. B. 1219 (C. 37, secs. 621-629)

Specifies matters assignable to magistrates by Chief Judge of each circuit — civil proceedings where amount involved does not exceed \$5,000.00; contract actions; distress for rent; replevin or detinue; attachments; garnishments; collection of taxes; forcible entry; probate functions; misdemeanors and quasi-criminal actions where punishment doesn't exceed fine of \$1,000.00 or one year in county jail; internal administrative functions; etc. Supreme Court may, within framework, specify additional categories.



- H. B. 1315 (C. 108 $\frac{1}{2}$ , secs. 14-108 and 14-143).  
Provides that a holdover magistrate who has not previously elected coverage in a retirement system may become a member of the State Employees Retirement System until the expiration of his term.
- H. B. 1316 (C. 108 $\frac{1}{2}$ , secs. 18-108 and 18-112).  
Includes appointed magistrates under Judges' Retirement System, but provides that they shall not be entitled to credit in the Judges' Retirement System for service as justices of the peace, police magistrates, or holdover magistrates prior to their appointment.
- H. B. 1408 (C. 108 $\frac{1}{2}$ , secs. 18-107, 18-108, 18-111).  
Includes eligible magistrates under Judges' Retirement System.

#### GENERAL

- S. B. 952 (C. 38, s. 931)  
Permits any police officer, sheriff or deputy, and circuit clerk or deputy, to accept bail if the Supreme Court or Circuit Court provides a schedule of amounts. The Circuit Clerk or a deputy may receive fines and pleas of guilty if the Supreme Court or Circuit Court provides schedule.
- S. B. 975 (C. 53, s. 37a)  
Raises the maximum salaries which counties may pay to sheriffs, coroners, county treasurers, county clerks, circuit clerks, recorders and auditors by \$1000 to \$2000.
- S. B. 618 (C. 3, amends or repeals numerous sections of the Probate Act.)  
Amends the Probate Act to bring it into conformity with the Judicial Article.
- S. B. 619 (C. 110, secs. 264, 268, 275, 276)  
Amends the Administrative Review Act to bring it into conformity with the Judicial Article.
- S. B. 622 (C. 120, secs. 377, 382, 385, 386, 387, 388, 389, 390, 391, 392, 398, 399, 399a)  
Amends the Inheritance Tax Act to bring it into conformity with the Judicial Article.
- H. B. 777 (C. 131, s. 1.24)  
Defines the word "decree" as synonymous with the word "judgment".
- H. B. 778 (C. 3, s. 1)  
Eliminates obsolete matter in the Gifts to Minors Act.

H. B. 779 (C. 110, amends secs. 1, 2, 57.1, 64, 69, 75 and 76 and repeals 61, 77 and 78 of Civil Practice Act). Makes necessary changes in Civil Practice Act *and* authorizes Supreme Court to set up by rule special procedures for small claims.

H. B. 1571 (C. 53, s. 31.1)

Sets filing fees for small claims cases as follows:

Where amount of money or damages or property value does not exceed \$200.00—\$3.00;

Where amount of money or damages or property value does not exceed \$500.00—\$6.00;

Where amount of money or damages or property value does not exceed \$1,000.00—\$8.00;

Where amount of money or damages or property value are between \$1,000.00 and \$5,000.00—\$12.00;

Confession of judgment where amount does not exceed \$200.00—\$3.00;

Confession of judgment where amount is between \$200.00 and \$500.00—\$9.00;

Confession of judgment where amount is between \$500.00 and \$1,000.00—\$12.00;

Confession of judgment where amount is between \$1,000.00 and \$5,000.00—\$17.00.

Appearance fees:—\$200.00 or under—none; between \$200.00 and \$500.00—\$3.00; between \$500.00 and \$1,000.00—\$4.00; between \$1,000.00 and \$5,000.00—\$5.00.

In garnishment affidavit and citation petition, when the amount does not exceed \$1,000.00, \$1.00; when such amount exceeds \$1,000.00 but not \$5,000.00, \$2.00.

H. B. 1025 (C. 37, amends secs. 25, 27, 33, 42, repeals secs. 26, 29, 30, 31, 32, 38, 39, 40, 43, and adds secs. 32.1, and 32.2)

Sets up Appellate Court and appealable matters in accordance with the Judicial Article. Provides for election of appellate clerk in new Second District.

H. B. 1026 (C. 37, secs. 60, 61, 61a)

Provides that each Judge of the Appellate Court may appoint one law clerk and one secretary. Eliminates obsolete matter.

H. B. 1027 (C. 37, secs. 52, 53, 54, 55)

Repeals Act providing for the creation of additional



branch of Appellate Court. The Act repealed was rendered obsolete by the Judicial Article.

- H. B. 1028 (C. 37, secs. 45, 46)  
Repeals an Act to establish Appellate Courts and to provide for the creation of branch courts. This Act was also rendered obsolete by the Judicial Article.
- H. B. 1402 (C. 53, s. 71)  
Limits sheriff's (Cook County) commission to \$400.00 on any sale of real estate made by virtue of a decree of a Court of Chancery.
- H. B. 1113 (C. 53, s. 37)  
Limits sheriff's (downstate) commission to \$400.00 on any sale of real estate made by virtue of a decree of a Court of Chancery.
- H. B. 1114 (C. 115, s. 12)  
Provides that every recorder shall keep an index in alphabetical order showing the names of parties against whom judgments or decrees have been rendered and transcripts or memoranda of same that have been recorded.
- H. B. 1115 (C. 30, s. 122)  
Provides that no judgment, order or decree of any court shall be a lien against property registered until a transcript or certified copy of the judgment, decree or order, or a memorandum or copy of the judgment, decree or order showing date, amount, name of party in whose favor and name of party against whom rendered or made, signed by a judge or magistrate of the court rendering or making it, is filed in the office of the registrar and a memorial of the same is entered upon the register of the last certificate of title to be affected.
- H. B. 1116 (C. 22, secs. 44, 45, 46, 47 and 48)  
Provides that a decree for money shall be a lien on land and tenements the same as a judgment at law, including the time and manner when same shall take effect. Permits judge or magistrate to issue deeds, certificate of sale or bill of sale and to direct the sheriff to do likewise.
- H. B. 1117 (C. 77, s. 69a)  
Sets up manner in which the United States secures a lien upon real estate.

- H. B. 1118 (C. 71, secs. 1, 4, 6, 37)  
Provides that a lien on real estate affixes only from the time a transcript, certified copy or memorandum of the judgment is filed in the office of Recorder of Deeds in the county where the real estate is located. Contains provision re foreign judgments, defines "memorandum" and provides for the recording of certificates of levy.
- H. B. 1119 (C. 22, s. 53)  
In condemnation suits, suits in equity, proceedings to sell real estate of the decedent to pay debts, or other suits in nature of suits in equity, affecting or involving real estate, constructive notice of the pending suit is established by the filing of a notice in the Recorder's office of the filing of suit and describing therein the real estate involved.
- H. B. 1066 (C. 115, secs. 1, 2, and 9.07)  
Provides that in counties of less than 60,000 population the County Clerk shall act as Recorder of Deeds instead of the Circuit Clerk. Effective December 1964.
- H. B. 1067 (C. 53, s. 31)  
Companion bill to H. B. 1066 and makes necessary changes to give proper effect to it.
- S. B. 1229  
Appropriation bill.
- S. B. 1235  
Appropriation bill.
- H. B. 1337  
Provides that a Second District Appellate Court Building is in the public interest and shall be located in the place designated by the Supreme Court.
- S. B. 1237 (C. 46, s. 2.15)  
Provides that circuit clerks shall be elected in November 1964 and every four years thereafter.

#### MISCELLANEOUS RE JUDGES AND COURTS

- S. B. 324 (C. 37, secs. 23e to 23n)  
Court Administrator's Act repealed as of January 1, 1964.  
An administrative director was appointed at that time pursuant to the Judicial Article.



- H. B. 628 (C. 25, s. 30)  
Requires clerks to furnish docket information and other data requested by Supreme Court (formerly part of Court Administrator's Act.)
- S. B. 271 (C. 46, s. 555)  
Provides for the election and terms of Appellate Court judges. The length of the terms for those elected at the first election shall be 10, 8 or 6 years, to be determined by drawing lots among the judges elected.
- H. B. 274 (C. 37, secs. 1.1 to 1.5)  
Establishes judicial districts the same as those in the Schedule to the Judicial Article.
- H. B. 746 (C. 37, s. 72.2)  
Postpones election of a fourth circuit judge in DuPage County to November 1964.
- H. B. 1012 (C. 37, s. 72.39)  
Extends terms of circuit, city and village judges elected in 1963 to 1970, and provides that such judges may run on their records.
- H. B. 1572  
Repeals acts relating to courts abolished by the Judicial Article.
- H. B. 1573 (C. 37, secs. 72.4, 72.5, 72.24, 72.25, 72.29, 72.30, 72.31, 72.32)  
Abolishes terms of circuit courts.
- H. B. 1652 (C. 37, s. 72.4-1)  
Authorizes the chief judge of each circuit to appoint a secretary. The salary of the secretary in circuits less than 125,000 in population is \$5000 per year; if more than 125,000, it is \$6000 per year.
- H. B. 275 (C. 46. Amends secs. 7-1, 9-1, 9-2, 9-5, and 9-6 and subtitle of Art. 9, Election Code and adds secs. 2-7.1, 9-5.1, 9-5.2, 9-5.3, 9-5.4, and 9-5.5)  
Provides that Associate and Appellate Court judges be nominated by convention. Sets up sequences of conventions with Supreme Court justices first, Appellate Court justices second, Circuit Court judges third and associate judges fourth. Allows at least 6 days between conventions. Provides that a judge shall be deemed to have resigned his office upon acceptance of a nomination to a judicial office different

from the one he holds but shall continue in his office until his successor qualifies for office.#

H. B. 276 (C. 46, s. 16-6.1)

Sets up form of ballot for running on record.

H. B. 779 (C. 110. Amends secs. 1, 2, 57.1, 64, 69, 75, and 76, and repeals secs. 61, 77, and 78.)

Authorizes Supreme Court to set up small claim procedure by rule, and provides that a petition for leave to appeal from the Appellate Court to the Supreme Court shall be made within 40 days after judgment has become final.

H. B. 1111 (C. 46, s. 22.7)

Directs State Electoral Board to notify Auditor of persons elected to various offices and the names of judges who fail to win re-election.

H. B. 1112 (C. 37, s. 23.51)

Directs Chief Justice of Supreme Court and Chief Judge of Circuit Court to furnish the Auditor with employment status of judges. The Chief Judge is to transmit the name of any person appointed to serve as magistrate, the date of death, resignation, removal or retirement of any magistrate in the circuit and the name of any judge of the circuit who dies, resigns or retires.

H. B. 1639 (C. 37, s. 339)

Chief Judge of each circuit may appoint as many court reporters as he deems necessary but the number appointed shall not exceed the total number of associate judges elected in the circuit. Reporters may be assigned anywhere in the circuit by the Chief Judge. Reporters shall be paid out of the county treasury of counties having a population of 125,000 or less, \$5,000; of counties having a population of more than 125,000 but not more than 225,000, \$6,000; in counties having a population of 225,000 but not more than 500,000, \$8,000. Reporters may be paid on a per diem basis.

#### JUDGES' AND MAGISTRATES' SALARIES

S. B. 268 (C. 53, s. 3.1)

Sets Appellate Court judges' salaries at \$25,000.00

---

# But see *People ex rel. Nachman, et al v. Carpentier*, 197 N. E. 2d 32 (1964).



per annum, to be paid by the State, with a \$4,500.00 mandatory supplement in Cook County. Effective on the commencement of the terms of the first judges elected to the Appellate Court.

S. B. 269 (C. 53, s. 3)

As of January 1, 1964 all Supreme Court justices will receive \$30,000 per annum and all circuit judges will receive \$20,000 per annum from the State. Cook County must pay a \$9,000 supplement to circuit judges.

S. B. 1227 (C. 53. Adds secs. 3.3 to 3.12 inclusive)

Effective January 1, 1964, sets associate judges' salaries payable from the State on a population basis, i.e.—counties less than 10,000—\$12,000.00; 10,000 to 20,000—\$13,500.00; 20,000 to 40,000—\$16,000.00; 40,000 to 70,000—\$17,500.00; 70,000 to 500,000—\$17,500.00, plus a discretionary \$1,500.00 from the county. Cook County associate judges shall receive \$17,500.00 plus a supplement, in the discretion of the County Board, no greater than \$11,000. The supplement must be at least enough to bring all judges to their present salaries.

Associate judges assigned to counties in which the salaries of associate judges are higher shall receive an additional per diem amount from the State. Associate judges not licensed to practice law shall receive the same salary from the State that they were receiving from the county on December 31, 1963.

S. B. 873 (C. 53, s. 3.2)

Appointed magistrates shall receive \$10,000.00 from State, with a discretionary supplement in Cook County not to exceed \$6,000.00.

#### COURTROOMS AND FACILITIES

S. B.s 242-3 (C. 24, s. 11-62.1-1; C. 139, s. 40.2)

Authorize municipalities and townships to provide courtrooms at their expense. The appearance and furnishings shall meet reasonable minimum standards set by Supreme Court.

S. B. 326 (C. 34, s. 432)

*Requires* counties to provide courtrooms, office space and furnishings for Circuit Court which shall meet

reasonable minimum standards set by Supreme Court.

S. B. 600 (C. 34, s. 3314.2)

Permits a public building commission to exercise its authority to construct buildings in any municipal corporation as well as in the county seat.

### **A JUDGE REPORTS\***

*Honorable John T. Reardon, Chief Judge,  
Eighth Judicial Circuit.*

It is an honor to be selected by your fellow Judges as their Chief, but like all honors, it brings responsibility. This responsibility not only extends to your fellow Judges, but also to the public we serve. The problems confronting a Chief Judge are many and varied. Population of our Circuits, density of population in areas within Circuits, geography of Circuits, availability of competent judicial manpower, and adequacy of court facilities pose for each Chief Judge a challenging opportunity to render valuable service.

All of the Chief Judges have been working with County Boards and their Committees, seeing that appropriations for physical court facilities to meet possible Supreme Court standards are adopted.

We came to these Boards, hats in hand, seeking appropriations by Counties for salaries for Associate Judges' reporters and additional personnel in the Clerk's office.

We have met with the Circuit and County Clerks and sought advice from them in the preparation and entry of orders directing the storage of unused files, books and records, particularly in Counties of 60,000 and less where the Circuit Clerk loses his Recorder status to the County Clerk on December 7, 1964.

We have enlisted the efforts of the Clerks to plan for the timing and orderly transfer of duties, files and records between the two offices of Circuit Clerk Recorder and the future County Clerk Recorder.

---

\* The substance of this statement was an address delivered by Judge Reardon to the Circuit and Superior Court Judges Association at the annual meeting of the Association in Chicago in December, 1963. This statement is a revision of that address.



At all times, tact and diplomacy required us to keep in mind that we were dealing with elected public officials, each of them politically potent in his own right and own area, and some of them (fortunately, very few) prima donnish in their zeal to determine things for themselves in carrying out of their official duties; and many of them, perhaps most of them, resented the idea of any change. In fact, my experience with them reminds me of a very intriguing talk I heard given by an elderly lawyer on the occasion of his becoming a Senior Counsellor in Illinois. He said, "I have seen many changes in the law in my fifty years, and I am proud to say I was agin every damn one of them".

We have been working with Clerks in the simplification of their forms, and at all times, have endeavored to create and maintain an atmosphere so that when the end product was reached, the result could be displayed by the Clerk as his sole architecture, and he could maintain with good face that he had never been slightly influenced, directed, guided or controlled by the whim or caprice of a Chief Judge.

We have been striving to develop an enthusiasm for the new Judicial System among our fellow Associate Judges and have attempted to convince them that the spirit of the new Judicial Article is to upgrade justice, not to downgrade Judges by requiring them to handle cases formerly within the jurisdiction of Justices of Peace and Police Magistrates.

We have been treading our way cautiously through the financial limitations of constitutional fee officers to make certain that adequate costs were made available to the Clerk, so the fiddler could be paid.

We have been considering and sharing with each other our separate and collective problems.

We have attempted to assist Circuit Clerks and County Clerks in deciding which Clerk was entitled to which fees and when.

We have been trying to determine which duties should be assigned to Associate Clerks and who, in the case of the Clerk of the City Court, should pay his salary after January 1, 1964, thereby rewarding him for services which he may or may not perform, as we may or may not require.



We have been submitting ourselves as willing victims to the wonders of electronics, teletyping and tape recording, in a determined and desperate effort to avoid the use of the Common Law Bill of Exceptions.

We have been educating ourselves in the nuances of Court Rules as distinguished from Administrative Orders.

We have prepared ourselves for the ordeal of tactfully advising some of our Justice of Peace and Police Magistrate friends that "They ain't no more".

We have been worrying about juries and the right thereto. Shall there be six or shall there be twelve? Should the demanding litigants pay or should it come from the commonweal?

We Chief Judges have concerned ourselves with Court Divisions and promptly were divided. We deplored divorce and separations, but did not decide in which Division they belonged. All of us favored a Small Claims Court, but we parted company somewhere between a Pro Se Court and the abolition of technical Rules of Evidence.

We have been attempting to sail the legal ship of State midway between Scylla and Charybdis, relying strongly upon the theme of the ancient psalm (with which many are familiar):

"Et antiquum documentum  
Novo cedat ritui  
Praestet fides supplementum  
Sensuum defectui"

which liberally translated means—

Lo! O'er ancient forms departing  
Newer rights of grace prevail;  
Faith for all defects supplying  
Where the feeble senses fail.

We reached agreement that the work of the Court must be supervised by the Chief Judge and that he must necessarily assume an active role in the work of the Clerk. We concluded that the assigning of cases, scheduling of times and places of holding Court, the establishing of Divisions, the manning of Courts throughout the year (including vacation periods), all come within the general administrative authority of the Chief Judge and, to the extent that this authority is exercised, the success or

failure of the Trial Court will depend. A Chief Judge who is unwilling to assume leadership or who is unwilling to delegate authority will soon find himself enmeshed in confusion and trivia. It has been wisely said that a Chief Judge will not win any popularity contests. The Chief Judges of Illinois have determined that a more poignant consideration is: Will he win any elections?

It seems strange that one of our most vexing problems should be the handling of traffic cases. This problem was new to the Circuit Judges. The realization that in the year 1964 there would be in the State of Illinois approximately three million prosecutions for traffic law violations brought us up with a start. The enormity of the idea of one-third of our population appearing annually in our courts as alleged traffic offenders made us realize that comprehensive preparations and procedures had to be instituted and employed. At all times, we were possessed with the overriding idea of uniformity throughout the State in the application of traffic laws. In our judgment, nothing does more harm to the image of justice than an unequal application of the penalties provided for law violation.

In the development of the Supreme Court Traffic Rule we had not only to consider the offender, we also had to consider the offended. Traffic offenses are generally unintentional, yet their effects are as deadly as those offenses which are prompted by malice and executed with design. We wanted to do away with the atmosphere of the speed trap, and yet we did not want to hamstring a fair and reasonable law enforcement effort. We wanted, as far as humanly possible, to prevent police officer officiousness and to eradicate entirely the possibility of venality.

The challenge of our self-imposed assignment of establishing judicial procedures capable and adequate to meet and conquer an annual caseload of three million was great. The vastness of the problem was aggravated by many other considerations. Population density and great movements of traffic produced a concurrently large number of violations, which must be handled with dispatch. Generally, however, adequate physical facilities of Judges and courtrooms are available in these areas. Sparsely populated rural areas have comparatively few violations, but the physical facilities of available Judges and courtrooms are lacking and sometimes non-existent.



It seems incredible, but it is true nevertheless, that there are many areas in Illinois that do not have 'round the clock police service adequate to meet the existing need. The new traffic rule for the first time requires a uniform type of traffic ticket or complaint. The rule requires this ticket to be used to the exclusion of all others throughout the entire State of Illinois.

In all minor traffic offenses, the alleged violator is not physically arrested but is notified to appear on a given date. Our research told us that the overwhelming majority of these minor offenses are concluded by a plea of guilty, so we provided a method of pleading guilty before a Clerk within a stipulated period of time. This permits the police officer to perform his duties and also gives to the Clerk the time needed to set up calendars and dockets for the court.

Uniform penalties for these minor violations were established by the Rule. We recognize the advisability of requiring the officer to be present on the appearance date fixed by the officer when the ticket was given, but could not provide this desirable feature because of the inadequacy of police manpower. Most of the Illinois State Highway Police operate in several Circuits and in numerous Counties and if their appearance were required on the appearance date the Illinois State Police would be unable to discharge their police work, since their time would be substantially occupied in making appearances in court.

The right of the defendant to have a speedy determination of his case was maintained. Fixed amounts of bail for given offenses was established by the Rule, and various methods of giving bail were provided. For many years in Chicago the operator's license was accepted as bail but, until the advent of this Rule, this procedure was not in vogue in downstate Illinois.

The Traffic Rule also gives official recognition to bail bond certificates issued by qualified insurance organizations and automobile associations. In addition to these methods of giving bail there has been created a cash form of bail by mail. This form of bail is necessary to take care of situations where alleged offenses occur at a late hour in an area where no Judge or Bail Officer is available. I am happy to learn that this innovation seems to be working satisfactorily.



The judiciary must now face the future. By the adoption of the Judicial Amendment a tremendous vote of confidence has been placed in us. The people have for all practical purposes removed Judges who seek retention in office from partisan politics. What is the reaction of Judges? Are we to continue in our old political ways? Shall we be active in politics? Shall we serve on political committees? Shall we give political speeches and endorse given candidates for public office? All of us know the right professional answers to these questions. These answers are found in the Canons of Judicial Ethics, and in each instance the answer is a resounding "No".

The frightening thing about this is that the questions must be answered by our actions before election day in November of 1964. The precedent we Judges set this year will likely set the pattern of judicial political conduct for years to come.

I do not think that we Judges need be timid about this matter. I believe that the leadership of our two great political parties in this State is such that they will recognize that we have a higher obligation to our profession, to the people, and to the cause of justice. Many of the political leaders in this State are lawyers. Many of them were active in the adoption of the Judicial Article. Some of them, I dare say, may even rightfully take credit for the establishment of this new machinery of justice. The chance exists for all Judges right now to adopt a course of political conduct that will bring credit to our Judicial System for generations to come.

Our whole new Judicial System is not perfect. It has its detractors. In my judgment, this is good. I realize that the role of second guessers and Monday morning quarterbacks is an easy one. I know, too, that it is disheartening and annoying to hear and feel the criticism of those who have not labored in the vineyard. Certainly we Judges should be accustomed to that since we historically and ethically are prohibited from talking back.

As we Judges approach the never ending task of improving that which Washington called "The administration of justice is the firmest pillar of Government," let us do so with a good will. Patience and a humble willingness to learn from our mistakes, accompanied by enthusiasm and a willingness to work, will inevitably bring

about an incomparable structure of justice in Illinois. Some day the time will come when we can be warmed by an inner glow and to ourselves we can modestly say: "I am proud to have had a part in it".

### **MANPOWER MAGIC THROUGH CONSOLIDATION: MORE FOR LESS IN A UNIFIED COURT**

*Honorable James O. Monroe, Jr.  
Circuit Judge, Third Judicial Circuit<sup>1</sup>*

More jury trials for less time, money and trouble can be achieved under the unified trial courts of the new Judicial Article than under the old divided courts of Illinois.

The 1963 schedule of jury trials in all major courts of Madison County (the old circuit court, county court, probate court, and city courts of Alton and Granite City) and the 1964 schedule of the new unified Circuit Court (using the same judges and courtrooms) show marked contrasts.

Analysis warrants the conclusion that we can get *much more judge-jury manpower, for about half the money, and at about 65 percent of the lawyer-litigant time consumed*, under the new system than under the old.

The manpower increase per year is estimated at 17.5 per cent. Since this may be achieved in 65 per cent of the time, the manpower yield per time unit (a week) may be almost twice as before January 1.

The table below gives the figures<sup>2</sup> for 1963, and for 1964 through February. The remainder of 1964 is projected on the basis of the 1964 court calendar on which jury trials will be scheduled. The first two months experience under the new system confirms the analysis and gives validity to the projection presented.

---

<sup>1</sup> This statement was prepared by Judge Monroe when he was Chief Judge of the Third Judicial Circuit.

<sup>2</sup> Prepared from records of the Madison County Jury Commission, confirmed by setting clerks of the various courts.



**TABLE 1**  
**JURY TRIAL SCHEDULES**  
**IN MADISON COUNTY, ILLINOIS**

	Cir- cuit	County	Pro- bate	1963		Total	1964
				Alton	Gr. City		Consolidated
Jury weeks .....	30	5	—	6	6	47	22
Jdges w Jury .....	2-3	1	—	1	1		4-5
Jdge-Jury wk units .....	60-90	5	—	6	6	77-107(85)	88-110(100)
Weeks used .....	30	Some overlapping				34	22
Jurors called .....	3300	252	—	325	372	4249	2200
Aver per wk .....	110	50	—	54	62	125	100

Grand juries are not included, leaving only petit or trial juries. Supplemental panels are included with the main body of jurors to which they were added. The number of jurors is those called, not those who served on particular cases.

Figures include weeks in which all cases were settled the first day, or in which juries served only 1, 2, 3, or 4 days instead of a full week. Figures, of course, include jurors called and appearing but not used. Figures do not include jurors ordered but cancelled by further order before being summoned or appearing.

The table does not reflect in any way, of course, the non-jury work of any of the courts covered. County and city courts had considerable non-jury work and the probate court was wholly non-jury.

The contrasts are several. They are also impressive, not to say startling:

In 1963, separate jury arrays met in courts in Madison County on 47 weeks. Since some of these overlapped (that is, e.g., an array met in the County Court the same week another array met in the Circuit Court), the number of weeks when one or more arrays met was 34. In 1964, single arrays will meet a total of 22 weeks.

The fact that separate arrays were meeting during 1963 at the same time in different courts on 13 weeks, nearly one third of the time, is itself an indication of the waste under the old system. Unless we were again to call separate arrays for different courtrooms of the new unified court, this type of waste could not now recur.

In 1963, circuit court jury weeks had usually two judges, sometimes three, now and then more; county and



city court jury weeks had only their one judge; and the probate court had no juries at all. This yielded in the circuit court 60 to 90 judge-jury weeks (2 to 3 judges average per each of 30 jury weeks), plus the 17 jury weeks in county and city courts at one judge each. This is a total of 77-107 judge-jury weeks. Adjustments for short weeks, volume, number of judges, and other intangibles would give a fair estimate of about 85 judge-jury weeks total for the county in 1963, spread over 34 weeks of elapsed time.

In 1964, the new unified court jury weeks will have 4 judges generally, often 5, sometimes more, up to 7. This would yield about 88 to 110 judge-jury weeks (4 to 5 judges per each of 22 jury weeks). Again adjusting, this would give a fair average of about 100 judge-jury weeks total for the county in 1964, spread over 22 weeks.

This is 17.5 per cent more judicial manpower, 100 over 85. It is 35 plus per cent less time required, 22 from 34.

The amount of service derived from the average jury array or from the total number of jurors called may be determined by dividing the adjusted amount of judge-jury service by the number of weeks used.

For 1963, this is 85 service week units divided by 34 weeks, or 2.5 judge-jury service week units per week in which jurors were called somewhere in the whole county.

For 1964, it is 100 service week units divided by 22 weeks, or 4.6 judge-jury service week units per week in which jurors are called somewhere in the whole county.

This is almost twice the amount of available judge-jury service in 1964 over 1963.

In 1963, we called a total of 4249 jurors. Nearly one fourth of them—the 949 called for county and city courts—could be used by only one judge, for only one case, only one group of lawyers and litigants. After 12 were chosen for that case, the rest could only wait for the next case or be sent home. (In one instance the number ordered was 79, the number called was 72, the number used of course 12, leaving 7 uncalled and 60 excused or unused.)

In 1964, with a single consolidated court, centralized settings and single arrays; and by investigating and restricting jury excuses, we could call an average of 100

jurors per week; switch challenged jurors from one panel to another; use up to 60 or more at once; and hold our total to about 2200.

This is a bit more than half the 1963 total jurors to be paid by the county—that is, about half the cost.

The greatest time saver is the consolidation of the courts—whereby the county, probate and city courts are not separate entities but part of the circuit court. The judges of these former courts are now regularly assigned to jury duty in the circuit court. A single circuit court jury array has more judges and more courtrooms available—in fact the figure is upped from 2 or 3 to 6 or 7 for both judges and courtrooms.

The consolidation saves time for lawyers, judges, litigants and jurors.

The greatest money saver is the centralization, by which one jury array is used for several trials instead of just one as in the old county and city courts. Except for “double court”, multiple trials from one array were rare in the old circuit court—because there were usually not more judges available; such multiple trials were almost never held in county and city courts.

In the new unified court, multiple trials from one array will be a standard practice and a regular thing. Magistrate jury trials may be called with jurors from the same array.

For instance, the week of March 2, 1964, with an array of 68 jurors (reduced by excuses from 120), four jury trials utilizing 48 jurors were held at the same time. Contrast the experience of a separate court last June which called 79 jurors and used 12 in one trial. (Even ignoring the excuses, this is a 15 per cent yield, 12/79, under the old system, 40 percent, 48/120, now.)

The over-all experience so far indicates that the kind of new efficiency indicated may clearly be expected. In the first five jury weeks of 1964, in the new consolidated unified circuit court, there were 54 major *civil* cases settled, 20 tried to verdict; numerous *criminal* felony cases were disposed of at trial-call time, and 2 were tried to verdict. The tried cases included an important personal injury products liability case which lasted two weeks, and a murder case which lasted two weeks.



Centralization also permits the lawyer to answer all docket calls in the circuit at one central point, thus eliminating confusion.

One major factor in the picture is the new stature of judges who were formerly county, probate and city judges. These judges are now full associate circuit judges, with precisely the same jurisdiction in kinds of relief and amounts of damages in civil cases, kinds and amounts of punishment in criminal cases, as any other circuit judge. They are to have the prestige, dignity, salary, chambers, volume and importance of court work that this new stature indicates. In Madison County, they have also some supervisory administrative duties regulating and helping magistrates in their several areas.

In jury trial schedules, the associate judges may go from 4, 6 or 8 jury weeks per year under the old system to as many as 15 or 20 in the new.

Another factor is central jury selection. A jury can be picked from a single central array at a jury room (e.g., Board room) in Edwardsville, and the lawyers, litigants, judge and jury go then to another courtroom, including the courtroom in Alton or Granite City. This releases a major courtroom in Edwardsville for another trial, another panel of jurors to be used from the same single jury array.

While this first struck some lawyers as unusual, it is legal and has been used effectively in a trial beginning in Edwardsville and going on in Alton. As one wag lawyer put it, the slogan of the busy efficient trial lawyer may become: "Have jury, will travel."

Getting this newly increased manpower in 22 weeks instead of the contrasted 1963 period of 34 weeks would give the court the greater yield at an output of 65 per cent of the time.

The remaining weeks of the calendar would be taken up with nonjury cases and special settings such as the pile-up of particular types of cases (e.g., tax objection matters). These kinds of cases usually occupy different lawyers from the trial lawyers, and may be handled by certain assigned judges.

The trial lawyers freed during the off time—some 12 extra weeks per year (nearly a fourth of a year's



time) could use it for preparing new and untried cases, working on post-trial work, including appeals, and for other work.

The trial judges freed could use it for pretrial conferences, motions, review of cases tried, and general study or administrative work.

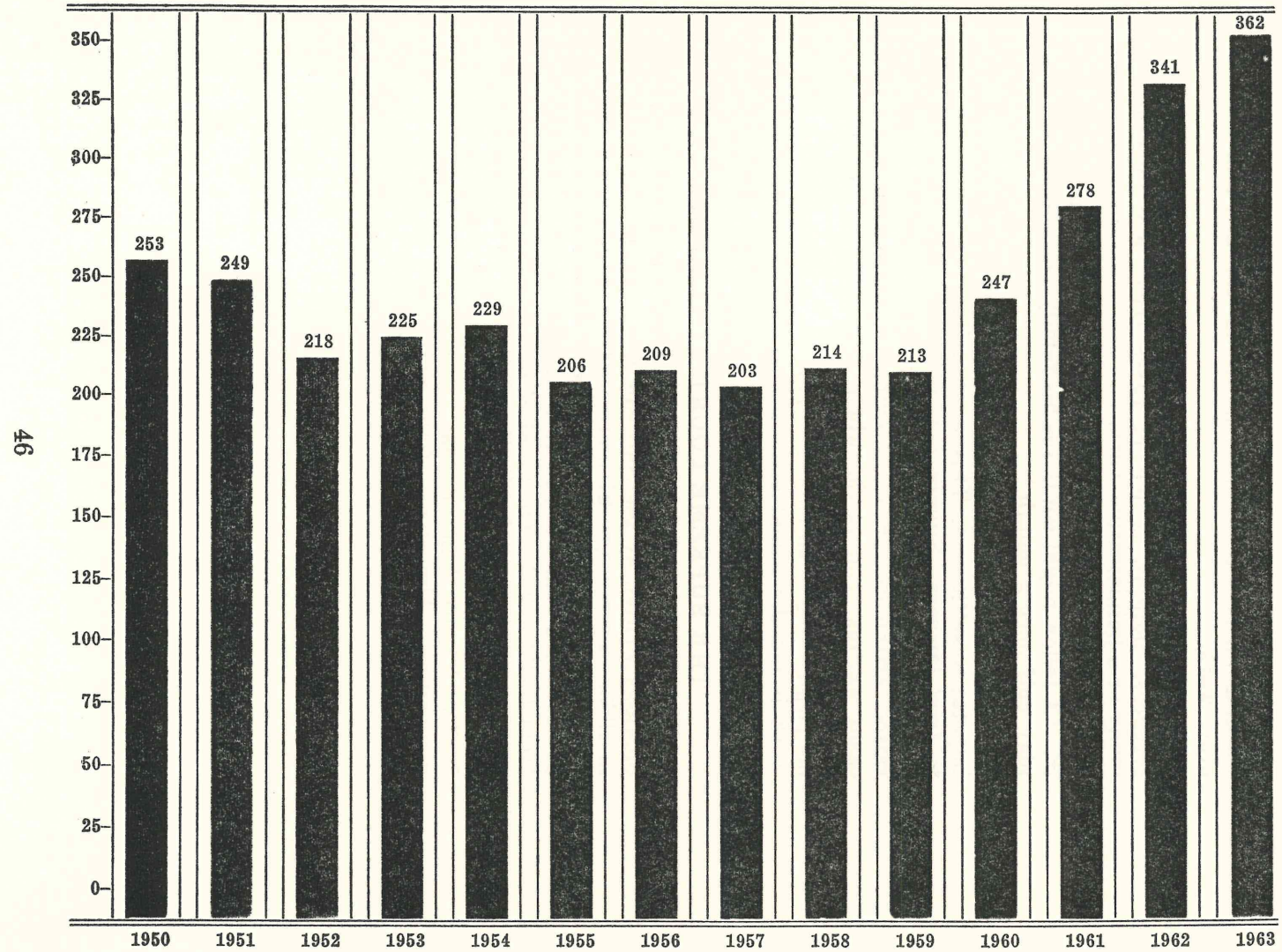
As a busy trial lawyer and a busy trial judge put it: "A fellow might get to see his family—or maybe even play golf once a month."

A final advantage of consolidation is the compound impetus to settlement. This is intangible, but well known to trial lawyers. Simply put, it means that when the number of judge-jury panels available to try cases is raised arithmetically (e.g. doubled) the settlement of cases waiting trial in the whole group before the consolidated court is raised not arithmetically but geometrically (e.g. quadrupled). This phenomenon of trial work is noted without elaboration here, as another potential of the new unified court.

#### **THE SUPREME COURT OF ILLINOIS**

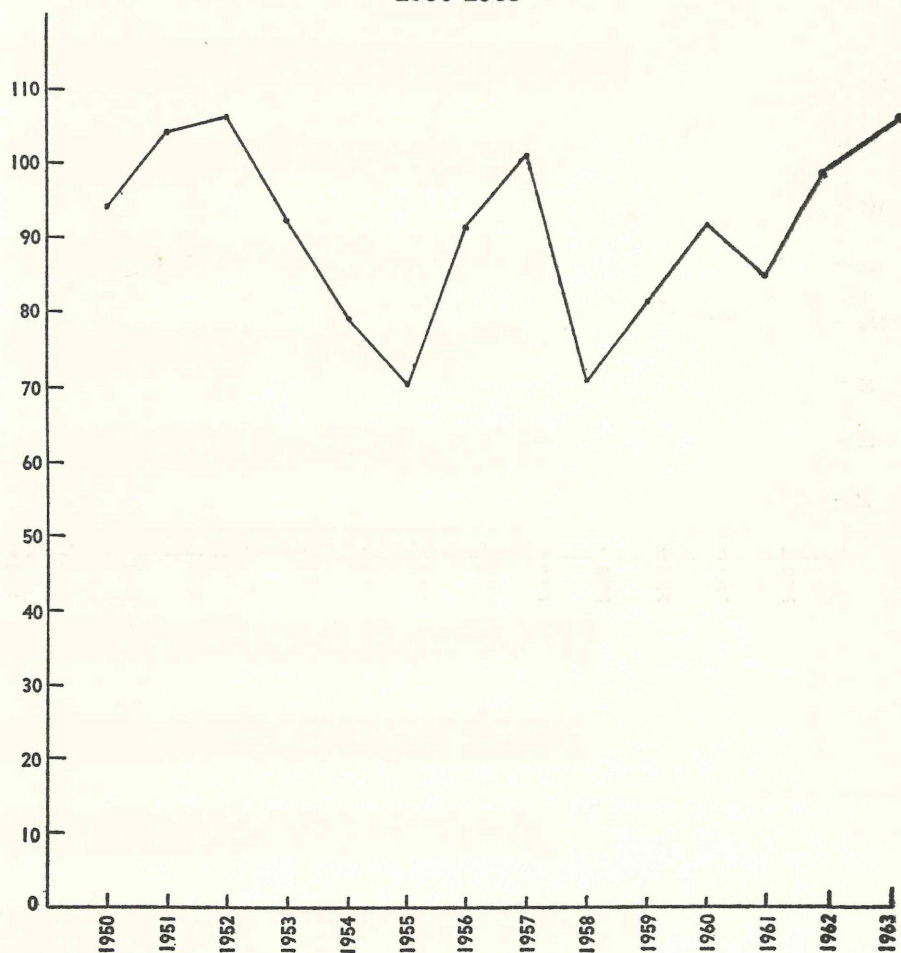
For the fourth consecutive year, the number of opinions written by the Supreme Court again increased in 1963. There were 21 more written opinions in 1963 than there were in 1962. The number of motions disposed of decreased somewhat in 1963 after a twofold increase from 1959 to 1962. The greatest delay in the disposition of cases continues to be the People's cases. One hundred and twenty-five of the 205 People's cases decided during 1963 took more than one year between date of filing and disposition. Almost all of the civil cases, on the other hand, were disposed of within one year.

**SUPREME COURT OF ILLINOIS**  
**NUMBER OF CASES DECIDED WITH FULL OPINIONS**  
**1950-1963**

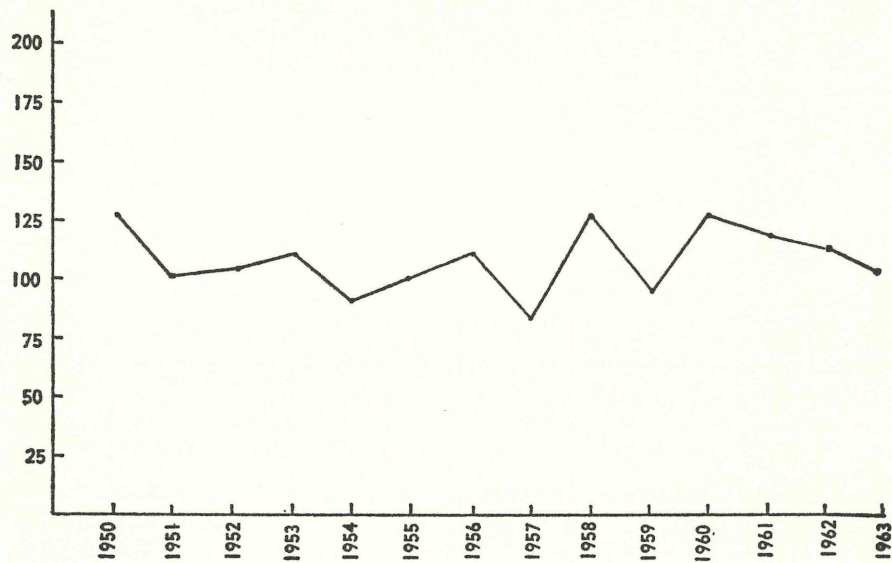




**SUPREME COURT OF ILLINOIS  
NUMBER OF PETITIONS FOR REHEARING  
1950-1963**

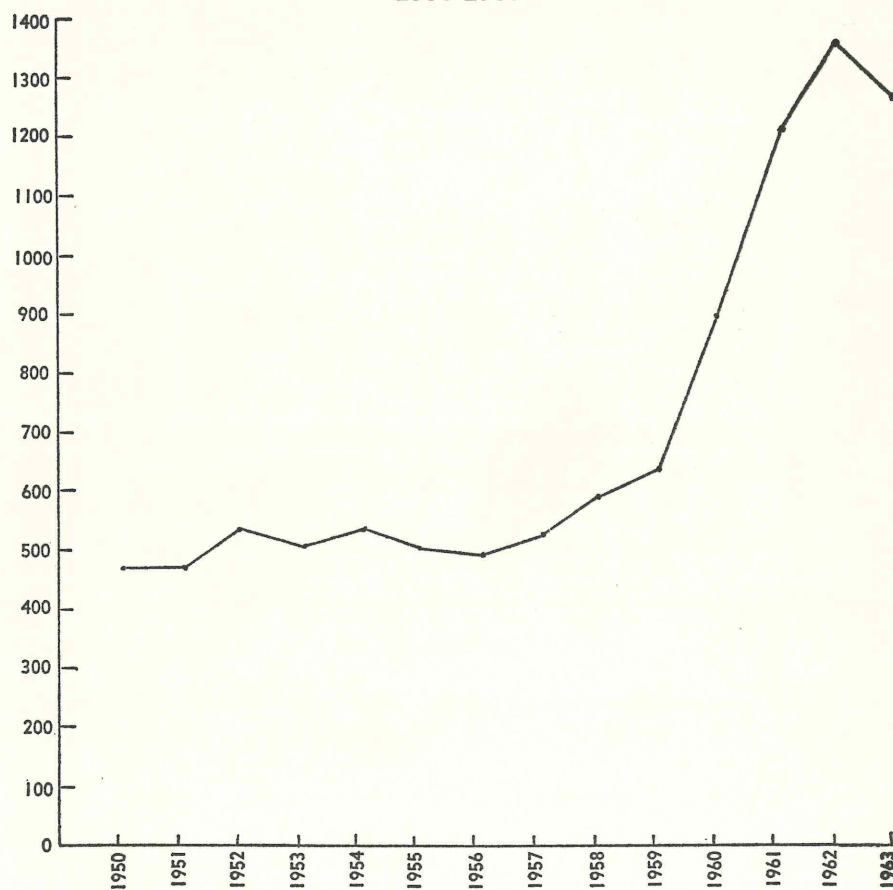


**SUPREME COURT OF ILLINOIS  
NUMBER OF PETITIONS FOR LEAVE TO APPEAL  
1950-1963**





**SUPREME COURT OF ILLINOIS  
NUMBER OF MOTIONS DISPOSED OF  
1950-1963**



# **CASES DECIDED IN THE SUPREME COURT DURING THE CALENDAR YEAR 1963**

## **Time Lapse Between Date of Filing and Disposition**

NUMBER OF CASES							
Time Elapsed	People	Civil	Habeas Corpus	Manda- mus	Rule 65-1 (2)	Post Convic- tion	Appeal
Under 6 months ...	8	36	32	16	2	11	0
6 to 12 months ....	72	111	3	1	0	5	1
1 to 1½ years.....	42	11	0	4	0	4	1
1½ to 2 years.....	41	2	0	3	0	2	0
2 to 3 years.....	32	0	0	3	1	0	0
Over 3 years .....	10	0	0	1	0	2	0
Total .....	205	160	35	28	3	24	2

## **THE APPELLATE COURT OF ILLINOIS**

The Appellate Court affirmed considerably more cases than it reversed during 1963 (a total of 253 affirmed and 183 reversed). In addition, 24 cases were affirmed in part. The First District showed a loss in currency during 1963 of 39 cases, compared to a loss of 70 cases in 1962. The Second<sup>1</sup> and Third Districts showed gains in currency in 1963 compared to losses in 1962. The First, Second and Third Districts had substantial increases in the number of cases filed during 1963. The Fourth District had a slight decrease.

Seventy-eight per cent of the cases disposed of in the Appellate Court during 1963 were disposed of within one year of the date of filing. One hundred and four cases were disposed of during 1963 in the First District more than one year from date of filing. In 1962, there were 67 cases in the First District disposed of more than a year from date of filing. There was a total of twenty cases during 1963 in the Second, Third and Fourth Districts disposed of more than one year from date of filing.

<sup>1</sup> The district numbers referred to are to the districts as they existed prior to January 1, 1964, the effective date of the new Judicial Article.



### SUMMARY OF CASES DISPOSED OF IN THE APPELLATE COURT DURING 1963

	Affirmed	Reversed	Affirmed in part	Dismissed	Other Disposition
<b>First District</b>					
Civil .....	112	84	20	98	10
Criminal ..	12	8	0	0	0
<b>Second District</b>					
Civil .....	69	49	2	38	8
Criminal ..		2		1	1
<b>Third District</b>					
Civil .....	29	17		14	3
Criminal ...	2	3		1	
<b>Fourth District</b>					
Civil .....	28	19	2	16	2
Criminal ...	1	1			
<b>Total</b>					
Civil .....	238	169	24	166	23
Criminal ...	15	14		2	1

### THE TREND OF CASES IN THE APPELLATE COURT DURING 1963

	No. of Cases Pending on Jan. 1, 1963	No. of Cases Filed During 1963	No. of Cases Disposed of During 1963	No. of Cases Pending on Dec. 31, 1963	Gain or Loss in Currency	
					Gain	Loss
First District .....	325 <sup>1</sup>	383	344	364		39
Second District .....	100	162	170	92	8	
Third District .....	46	68	69	45	1	
Fourth District .....	39	63	69	33	6	
<b>Total .....</b>	<b>510</b>	<b>676</b>	<b>652</b>	<b>534</b>		<b>24</b>

<sup>1</sup> This includes petitions for rehearing and petitions for leave to appeal within one year and petitions for leave to appeal from orders granting a new trial.

### TIME LAPSE BETWEEN DATE OF FILING AND DISPOSITION OF CASES DECIDED IN THE APPELLATE COURT DURING 1963

	TIME ELAPSED					
	Under 6 Mos.	6 - 12 Mos.	1-1½ Yrs.	1½ - 2 Yrs.	2-3 Yrs.	Over 3 Yrs.
First District....	12 <sup>1</sup>	130 <sup>1</sup>	74 <sup>1</sup>	23 <sup>1</sup>	6 <sup>1</sup>	1 <sup>1</sup>
Second District...	69	90	9	1	1	
Third District....	14	47	8			
Fourth District...	16	52	1			
<b>Total .....</b>	<b>111</b>	<b>319</b>	<b>92</b>	<b>24</b>	<b>7</b>	<b>1</b>

<sup>1</sup> Includes only cases in which the court wrote an opinion.

## APPELLATE COURT, FIRST DISTRICT, ILLINOIS

Activity of the Appellate Court, First District, Illinois, from June 14, 1962 to and including June 13, 1963.

Total cases filed during the period .....	394
Total cases disposed of during the period .....	335
Total cases pending at the end of the period.....	279

### RECAPITULATION OF COURT ACTIVITY

Total Cases Disposed Of By:	Totals
*Opinions .....	233
Dismissals .....	85
Transfers to the Supreme Court.....	1
Denials, leave to appeal—one year.....	6
Denials, leave to appeal—new trial.....	10
Total Cases Disposed Of .....	335

\*Actual number of opinions filed—225—consolidations account for the difference.

### Total Cases Pending At The End Of The Period

	1st Div.	2nd Div.	3rd Div.	
Regular appeals .....	76	67	76	219
Interlocutory .....	3	2	2	7
Rule 21 .....	1	2	1	4
Rule 22 .....	0	0	0	0
Rehearings .....	0	1	0	1
October 1963 cases not assigned.....				48
Total Cases Pending At The End Of Period.....				279

### OPINION INFORMATION

	Opinions filed	No. of cases disposed of	Special concur- ing	Supple- mental opinion	Dissents	Rehearing
<b>First Division</b>						
Burman .....	25	26	0	0	4	0
English .....	23	25	1	1	8	0
Murphy .....	30	30	0	0	0	0
Total First Division....	78	81	1	1	12	0
<b>Second Division</b>						
Bryant .....	24	24	0	0	3	0
Burke .....	24	25	0	0	6	1
Friend .....	24	24	0	0	1	2
Total Second Division..	72	73	0	0	10	3
<b>Third Division</b>						
Dempsey .....	25	27	0	0	0	0
Schwartz .....	22	22	0	0	0	1
McCormick .....	28	30	0	1	0	1
Total Third Division...	75	79	0	1	0	2
Total Three Divisions .....	225	233	1	2	22	5



## APPELLATE COURT, FIRST DISTRICT, ILLINOIS

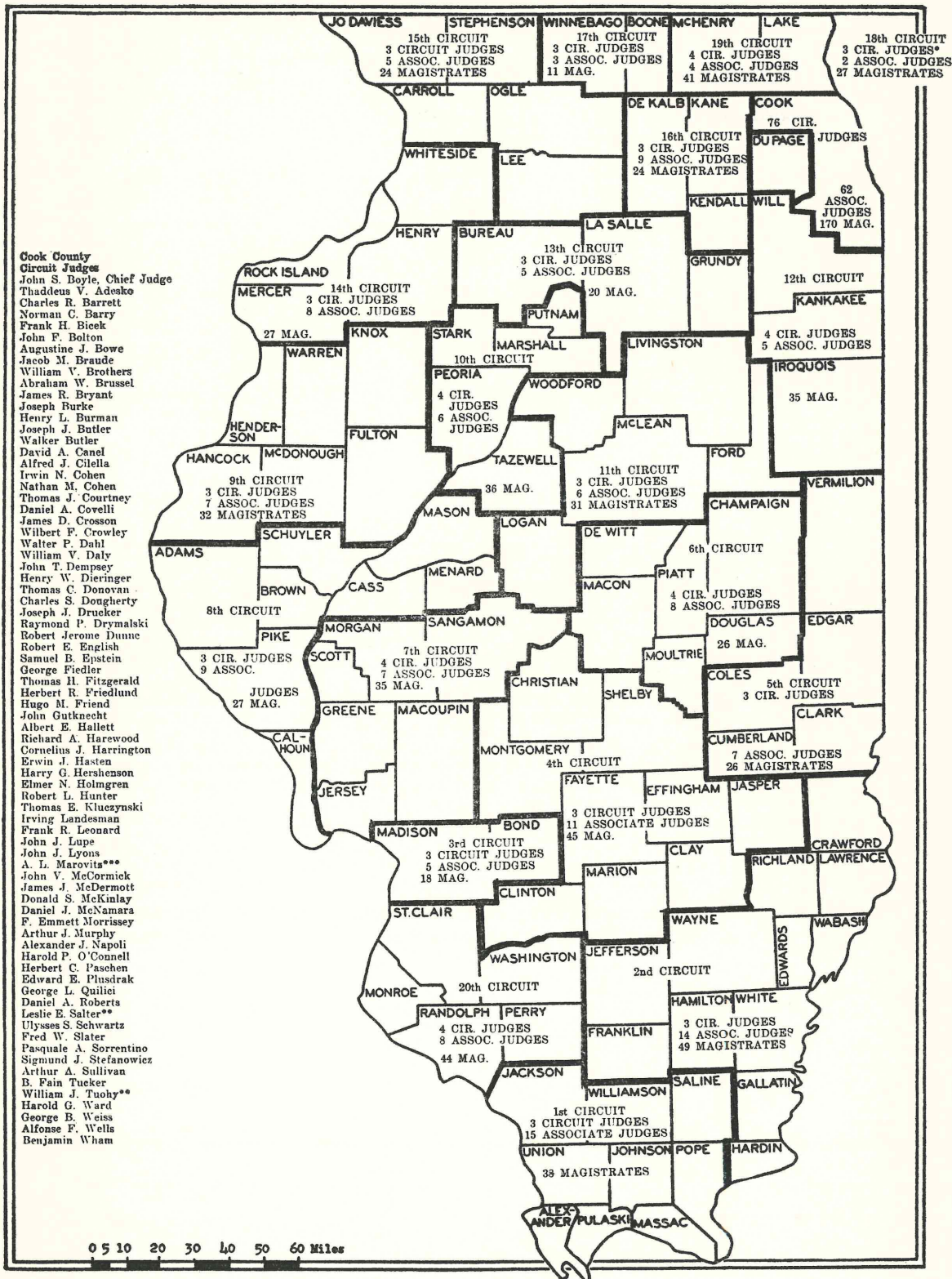
### *Recapitulation of Court Activity—Continued*

	1st Div.	2nd Div.	3rd Div.	Total
Dismissals .....	39	24	22	85
Petitions for leave to appeal 1 year				
Filed .....	4	3	4	11
Denied .....	3	0	3	6
Allowed .....	1	2	1	4
Pending .....	0	1	0	1
Petitions for leave to appeal—new trial				
Filed .....	3	3	2	8
Denied .....	3*	4*	3*	10
Allowed .....	0	0	0	0
Pending .....	1	1	0	2
Petitions for rehearing				
Filed .....	32	25	21	78
Denied .....	34*	21	20*	75
Allowed .....	0	3	2	5
Pending .....	0	1	2	3
Cases transferred to Supreme Court.....	0	0	1	1
Oral arguments heard.....	63	61	65	189
Motions disposed of .....	1194**	624**	641**	2459
Oral arguments on motions**				
Supersedeas .....	6	0	0	6
Miscellaneous .....	0	1	2	3

\* Includes action on petitions filed in previous Court year.

\*\* Included in motions disposed of total.

THE NUMBER OF JUDGES AND MAGISTRATES IN EACH CIRCUIT  
AND THE NAMES OF THE JUDGES AS OF APRIL 1, 1964



\* This Circuit is scheduled to elect a fourth circuit judge in November 1964.  
\*\* Deceased.  
\*\*\* Resigned.



**DOCK COUNTY****Associate Judges**

Thomas William Barrett  
William M. Earle  
Nicholas Bua  
Elix M. Buoscio  
James K. Chelos  
Harry G. Comerford  
James M. Corcoran  
Asimir V. Cwiklinski  
Norman N. Eiger  
Ving Elserman  
Jul A. Epton  
Gyman Feldman  
James H. Felt  
Joseph F. Geary\*\*  
James A. Geroulis  
Ving Goldstein  
Raymond G. Hall  
Joseph V. Hermes  
Charles P. Horan  
Harry A. Iseberg  
Leonard J. Jakes  
El Jiganti  
Mark E. Jones  
Dney A. Jones, Jr.  
Louis W. Kizas  
Norman A. Korfist  
Walter J. Kowalski  
Franklin I. Kral  
Lvin J. Kvistad  
David Lefkovits  
Frank B. Machala  
Nicholas J. Matkovic  
Robert E. McAuliffe  
Francis T. McCurrie  
Joseph H. McGarry  
Earl W. McGehee  
Elen F. McGillicuddy  
Francis T. Moran  
James E. Murphy  
A. Napolitano  
Leonard Nash  
Benjamin Nelson  
Wayne W. Olson  
John E. Pavlik  
Harry H. Porter  
Joseph A. Power  
Daniel J. Ryan  
Edith S. Sampson  
Edward G. Schultz  
Laurice J. Schultz  
En Schwartz  
Anton A. Smigiel  
Edell Corbett Smith\*\*\*  
James L. Sparing  
Herbert R. Stoffels  
Hester J. Strzalka  
Harold William Sullivan  
John J. Sullivan  
Fred G. Suria, Jr.  
Eugene L. Wachowski  
Kenneth R. Wendt  
Joseph M. Wosik

**FIRST CIRCUIT**

Circuit Judges  
Harold L. Zimmerman\*  
Ross Reynolds  
Lawrence E. Wright

**Associate Judges**

R. Cagle  
Stewart Cluster  
John H. Clayton  
Rafton Dennis  
Jan Haney  
Beyton H. Kunce  
Harry L. McCabe  
Jack C. Morris  
Robert B. Porter  
Verrett Prosser  
Paul D. Reese  
Earl H. Smith  
Dorothy Wilbourn Spomer  
Gerald Trampe  
Dan O'Sullivan, Jr.

**SECOND CIRCUIT**

Circuit Judges  
Jaswell J. Crebs\*  
Roy O. Guley  
Randall S. Quindry

**Associate Judges**

Max Endicott  
William G. Eovaldi  
Lester B. Fish  
Don A. Foster  
Oren Gross  
F. P. (Frank) Hanagan  
William Webb Johnson  
A. Hanby Jones  
Charles E. Jones  
George W. Keener  
Clarence E. Partee  
Alvin Lacy Williams  
Carrie L. Winter  
Harry L. Ziegler

**THIRD CIRCUIT**

Circuit Judges  
Harold R. Clark\*  
Joseph J. Barr  
James O. Monroe, Jr.

**Associate Judges**

Michael M. Kinney  
Austin Lewis  
Foss D. Meyer  
Fred P. Schuman  
I. H. Streeter, III

**FOURTH CIRCUIT**

Circuit Judges  
Daniel H. Dailey\*  
Franklin R. Dove  
Raymond O. Horn

**Associate Judges**

Prentiss Cosby  
Charles I. Flemming  
William A. Ginos, Jr.  
Arthur G. Henken  
George R. Kelly  
George W. Kasserman, Jr.  
James E. McMackin, Jr.  
Gail E. McWard  
Jack M. Michaelree  
Robert J. Sanders  
Bill J. Slater

**FIFTH CIRCUIT**

Circuit Judges  
Robert F. Cotton\*  
Harry I. Hannah  
John F. Spivey

**Associate Judges**

Zollie O. Arbogast, Jr.  
Jacob Berkowitz  
William J. Hill  
James K. Robinson  
Howard T. Ruff  
William J. Sunderman  
Paul M. Wright

**SIXTH CIRCUIT**

Circuit Judges  
Martin E. Morthland\*  
Charles E. Keller  
Birch E. Morgan  
Rodney A. Scott

**Associate Judges**

William C. Calvin  
Burl A. Edie  
Frank J. Gollings  
Frederick S. Green  
Roger H. (Bud) Little  
Robert W. Martin  
Donald W. Morthland  
Harry L. Pate

**SEVENTH CIRCUIT**

Circuit Judges  
Creel Douglass\*  
DeWitt S. Crow  
Clem Smith  
Samuel O. Smith

**Associate Judges**

Francis J. Bergen  
William D. Conway  
Byron E. Koch

L. A. Mehrhoff  
Stanley Thomas  
Howard Lee White  
John B. Wright

**EIGHTH CIRCUIT**

Circuit Judges  
John T. Reardon\*  
Maurice E. Barnes  
Robert S. Hunter\*\*\*

**Associate Judges**

Winthrop B. Anderson  
William M. Coppel  
Paul R. Durr  
Hardin E. Hanks  
Lyle E. Lipe  
Fred W. Reither  
Richard F. Scholz, Jr.  
Edward D. Turner  
Ernest Harper Utter

**NINTH CIRCUIT**

Circuit Judges  
Gale A. Mathers\*  
Burton A. Roeth  
Keith F. Scott

**Associate Judges**

Edwin Becker  
Ezra J. Clark  
John W. Gorby  
Scott I. Klukos  
Earl Knox  
Francis P. Murphy  
Daniel J. Roberts

**TENTH CIRCUIT**

Circuit Judges  
J. E. Richards\*  
John T. Culbertson  
Henry J. Ingram  
Howard White

**Associate Judges**

Edward E. Haugens  
Robert E. Hunt  
Charles W. Iben  
Albert Pucci  
Ivan L. Yontz  
One Vacancy

**ELEVENTH CIRCUIT**

Circuit Judges  
Leland Simkins\*  
R. Burnell Phillips  
William C. Radliff\*\*

**Associate Judges**

J. H. Benjamin  
Wilton Erlenborn  
John T. McCullough  
Wendell E. Oliver  
Don B. Pioletti  
Wayne C. Townley, Jr.

**TWELFTH CIRCUIT**

Circuit Judges  
David E. Oram\*  
James W. Barr  
James V. Bartley  
Victor N. Cardosi

**Associate Judges**

John C. Cowing  
Robert F. Goodyear  
Stewart C. Hutchison  
Allan L. Stouder  
Irwin C. Taylor

**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

**FOURTEENTH CIRCUIT**

Circuit Judges  
Dan H. McNeal\*  
George O. Hebel  
A. J. Scheineman

**Associate Judges**

Charles H. Carlstrom  
Forest Dizotell  
Lawrence L. Phares  
John L. Poole  
Charles J. Smith  
Conway L. Spanton  
Julian P. Wilamoski  
L. L. Winn

**FIFTEENTH CIRCUIT**

Circuit Judges  
Leon A. Zick\*  
Robert L. Bracken  
Marvin F. Burt

**Associate Judges**

John Dixon  
Wesley A. Eberle  
L. Melvin Gundry  
Helen M. Rutkowski  
Edward J. Turnbaugh

**SIXTEENTH CIRCUIT**

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

**Associate Judges**

John Krause  
Neil Mahoney  
Ross E. Millet  
Thomas P. O'Malley  
John S. Page  
Robert J. Sears  
Earl R. Shopen  
Carl A. Swanson, Jr.  
Dan B. Withers, Jr.

**SEVENTEENTH CIRCUIT**

Circuit Judges  
Albert S. O'Sullivan\*  
William R. Dusher  
Arthur V. Essington

**Associate Judges**

Seeley P. Forbes  
Fred J. Kullberg  
Harold C. Sewell

**EIGHTEENTH CIRCUIT**

Circuit Judges  
Bert E. Rathje\*  
Mel Abrahamson  
William C. Atten

**Associate Judges**

William L. Guild  
Philip F. Locke

**NINETEENTH CIRCUIT**

Circuit Judges  
Glenn K. Seidenfeld\*  
William M. Carroll  
Thomas J. Moran  
Philip W. Yager

**Associate Judges**

L. Eric Carey  
James H. Cooney  
LaVerne A. Dixon  
Minard E. Hulse

**TWENTIETH CIRCUIT**

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

**Associate Judges**

Robert Bastien  
Carl H. Becker  
Walter W. Finke  
William P. Fleming  
James W. Gray  
John M. Karns  
Alvin H. Maey, Jr.  
Joseph A. Troy

\* Chief Judge  
\*\* Deceased  
\*\*\* Resigned



# RATIO OF CASELOAD PER JUDGE IN ALL TRIAL COURTS IN ILLINOIS FOR CALENDAR YEAR 1963

(This is a first attempt to depict the entire state caseload per judge and contains some projected and redistributed figures.  
For these reasons we urge caution in interpretation.)

95

				Civil and Criminal Except JP & PM			JP & PM Cases (Civil and Criminal)			Total — All Cases		
Circuit	No. of Counties	Population (1960 Federal Census)	Area (Square Miles)	Total Number of Cases Begun or Reinstated (except JP and PM Courts) in 1963	Number of Circuit and Associate Judges	Average Number of Cases per Judge	Estimated number of Cases Begun or Reinstated in JP and PM Courts in 1963 <sup>a</sup>	Number of authorized Magistrates After 4-1-63 <sup>a</sup>	Projected Average Number of Cases per Magistrate Authorized After 4-1-63 <sup>a</sup>	Grand Total of all Cases Begun or Reinstated in all Courts in 1963	Total Judges and Authorized Magistrates after 4-1-63	Average Number of Cases per Judge or Magistrate
Cook	1	5,129,725	954	264,034 <sup>a</sup>	138	1,913	1,359,243 <sup>a</sup>	101	13,458	1,623,277	239	6,792
1st	9	184,021	3,242	4,361	18	242	14,952	0		19,313	18	1,073
2nd	12	211,081	4,796	5,016	17	295	9,012	5	1,802	14,028	22	638
3rd	2	233,749	1,114	5,249	8	656	19,452	4	4,863	24,701	12	2,058
4th	9	227,447	5,425	4,871	14	348	14,640	5	2,928	19,511	19	1,027
5th	5	188,068	2,885	5,701	10	570	15,240	4	3,810	20,941	14	1,496
6th	6	315,784	3,178	6,725	12	560	29,100	8	3,637	35,825	20	1,791
7th	6	267,494	3,485	5,659	11	514	32,736	7	4,677	38,395	18	2,133
8th	8	148,888	3,918	2,305	12	234	9,817	4	2,454	12,622	16	789
9th	6	186,560	3,904	4,188	10	419	12,228	5	2,446	16,416	15	1,094
10th	5	314,889	2,129	6,383	10	638	21,216	8	2,652	27,599	18	1,533
11th	5	199,059	3,853	3,367	9	430	19,764	5	3,953	23,631	14	1,688
12th	3	317,242	2,647	5,400	9	600	44,520	8	5,565	49,920	17	2,936
13th	3	170,744	2,453	3,192	8	399	11,496	3	3,832	14,668	11	1,335
14th	4	277,344	2,492	7,095	11	645	25,872	4	6,468	32,967	15	2,198
15th	5	164,390	3,136	3,215	8	402	16,092	5	3,218	19,307	13	1,485
16th	3	277,500	1,472	5,852	12	488	39,900	2	19,950	45,752	14	3,268
17th	2	230,091	803	6,956	6	1,159	39,972	6	6,662	46,928	12	3,911
18th	1	313,459	331	6,768	5 <sup>a</sup>	1,354	38,556	8	4,819	45,324	13 <sup>a</sup>	3,486
19th	2	377,866	1,068	10,354	8	1,294	55,332	9	6,148	65,686	17	3,864
20th	5	340,757	2,652	7,964	12	664	20,359	7	2,908	28,323	19	1,491
Downstate Total		4,951,433	54,983	111,621	210	532	490,256	107	4,582	601,877	317	1,899
State Total		10,081,158	55,937	375,655	348	1,079	1,849,499	208	8,892	2,225,154	556	4,002

(Footnotes on following page)

<sup>1</sup> This figure does not include the following types of cases in the Municipal Court of Chicago: traffic, tort and contract under \$1,000, forcible entry and detainer, attachment, rent, replevin, rent and possession, and quasi-criminal cases. These cases were redistributed to the JP and PM column since they were the type of cases usually handled by JP's and PM's downstate (there being no JP's or PM's in the City of Chicago during 1963). The traffic and criminal cases in the city, town, village and municipal courts in Cook County were also redistributed to the JP and PM column. Garnishments, citations, revivals of judgment, and preliminary hearings are not included in either column because they are not "cases" in comparable downstate circuits.

<sup>2</sup> This circuit is scheduled to elect another circuit judge in November 1964, which will make a total of 6 circuit and associate judges.

<sup>3</sup> Except for Cook County, these figures were computed by multiplying the actual caseload for one month by 12 to obtain an annual caseload.

<sup>4</sup> This figure is the sum of the following: the number of JP cases, an estimate of the number of police magistrate cases based upon the research of several associate judges and magistrates having extensive experience as police magistrates, the number of traffic and criminal cases filed in the city, town, village and municipal courts, and the number of traffic cases, tort and contract cases under \$1,000, forcible entry and detainer, attachments, rent, replevin, rent and possession, and quasi-criminal cases in the Municipal Court of Chicago.

<sup>5</sup> Pursuant to Ill. Rev. Stats. 1963, Ch. 37, Para. 160.2.

<sup>6</sup> This circuit is scheduled to elect another circuit judge in November 1964, which will make a total of 14 judges and magistrates.



## **THE TREND OF CIVIL CASES IN THE CIRCUIT<sup>1</sup> AND SUPERIOR COURTS DURING 1963**

### **Cook County Compared With Downstate Circuits 1-20**

Cook County has slightly more than half of the population of the State, and it had 62% of the civil cases begun or reinstated during 1963. During 1963 Cook County became 2232 jury cases further behind, compared to a loss in currency of 3017 jury cases in 1962 and of 3485 in 1961. There was a loss in currency of 22,570 non-jury cases<sup>2</sup> in Cook County during 1963 as compared to a loss in currency of 2774 in 1962 and 356 in 1961.

Considered as a whole, downstate Circuits 1 through 20 had a loss in currency of 27 jury cases and 776 non-jury cases. In 1962 there was a loss in currency of 14 jury cases and 2484 non-jury cases.

Eighty-three percent of Cook County's terminations were uncontested in 1963, while 79% of the terminations in Circuits 1 through 20 were uncontested. There were 10,849 divorces granted in Cook County during 1963 as compared to 13,096 during 1962. Downstate, there were 11,303 divorces granted in 1963 and 10,525 in 1962. Ninety-five percent of the divorces in Cook County were default divorces, while 72% of the divorces downstate were default divorces.

### **First Circuit**

9 Counties    3 Circuit Judges    184,021 Population

This Circuit had a gain in currency during 1963 of 28 jury cases and 512 non-jury cases<sup>3</sup>. This was the most substantial gain in currency made during 1963 in the State. There were 28 fewer jury cases and 221 fewer non-jury cases begun during 1963 than were begun during 1962. In relation to its population, this Circuit had a large number of pending jury cases on December 31, 1963, and a large number of jury terminations and ver-

---

<sup>1</sup> Reference is to the Circuit Court as constituted prior to the effective date of the new Judicial Article.

<sup>2</sup> About 17,000 of this loss was caused by the filing of tax cases in 1963 which were intended to be tried after January 1, 1964, in the several districts of the new Municipal Department.

<sup>3</sup> Stated differently, there was a decrease in the backlog by 28 jury cases and 512 non-jury cases.

dicts. While ranking 18th among the circuits in population, the First Circuit ranked 13th in number of jury cases pending on December 31, 1963, 14th in number of jury terminations and 11th in number of jury verdicts. Thirty-one percent of the jury cases reaching verdict during 1963 had been filed prior to 1962.<sup>1</sup> There was less than average delay<sup>2</sup> in the trial of jury cases.

### **Second Circuit**

12 Counties    3 Circuit Judges    211,081 Population

This Circuit had a loss in currency of 30 jury cases<sup>3</sup> and 104 non-jury cases during 1963<sup>4</sup>. On January 1, 1963, this Circuit ranked 17th among the circuits in number of pending jury cases. By December 31, 1963, it ranked 14th. It also ranks 14th in population. In comparison to the other circuits, this Circuit ranked low in number of jury terminations but high in number of jury verdicts. Forty-three percent of the jury cases reaching verdict during 1963 had been filed prior to 1962. The delay in the trial of jury cases was about average. There was more delay in jury cases reaching verdict in 1963 than there was in 1962.

### **Third Circuit**

2 Counties    3 Circuit Judges    238,749 Population

This Circuit had a slight gain in currency of jury cases<sup>5</sup> and a loss in currency of 244 non-jury cases during 1963. The latter was due primarily to an increase in the number of filings during 1963. While this Circuit ranks 11th among the circuits in population, it ranked 7th in number of pending jury cases on December 31, 1963, 7th in number of jury cases terminated, and 7th in number of jury cases begun or reinstated, indicating a relatively high per capita jury caseload. This Circuit had

---

<sup>1</sup> Forty-six percent of the jury cases reaching verdict during 1963 in downstate Circuits 1 through 20 had been filed prior to 1962.

<sup>2</sup> The term "average delay" in this report refers to the average amount of delay in downstate Circuits 1 through 20.

<sup>3</sup> There were 15 fewer jury cases begun during 1963 than during 1962.

<sup>4</sup> There were 48 fewer non-jury cases begun during 1963 than during 1962.

<sup>5</sup> There were 23 more jury cases begun during 1963 than during 1962.



more jury verdicts during 1963 than any other downstate circuit. Forty-seven percent of the jury cases reaching verdict during 1963 had been filed prior to 1962. There was more than average delay in the trial of jury cases. There was less delay in the trial of jury cases in the circuit during 1963 than there was in 1962.

#### **Fourth Circuit**

9 Counties    3 Circuit Judges    227,447 Population

This Circuit had a loss in currency of 23 jury cases<sup>1</sup> and 138 non-jury cases<sup>2</sup> during 1963. In proportion to its population, this Circuit had a relatively small jury backlog on December 31, 1963, and a small number of jury terminations and jury verdicts. While ranking 13th in population among the circuits, it ranked 15th in number of jury cases pending on December 31, 1963, 17th in number of jury terminations, and 15th in number of jury verdicts. Thirty-eight percent of the jury cases reaching verdict in 1963 had been filed prior to 1962. There was less than average delay in the trial of jury cases. There was more delay in the trial of jury cases during 1963 than there was in 1962.

#### **Fifth Circuit**

5 Counties    3 Circuit Judges    188,068 Population

The Fifth Circuit had a gain in currency of 100 jury cases<sup>3</sup> and 381 non-jury cases<sup>4</sup>. This was a better overall gain in currency than any other circuit except the First Circuit. The Fifth Circuit moved from 15th place in number of pending jury cases to 18th place during 1963. In relation to its population, this Circuit had a small number of pending jury cases but a high number of jury terminations and jury verdicts. Only 14% of the jury cases reaching verdict during 1963 had been filed prior to 1962. This Circuit had less delay in the trial of jury cases than any other circuit in the State. However, it had more delay in 1963 than it had in 1962.

---

<sup>1</sup> There were 2 more jury cases begun during 1963 than during 1962.

<sup>2</sup> There were 89 fewer non-jury cases begun during 1963 than during 1962.

<sup>3</sup> There were 45 fewer jury cases begun in 1963 than during 1962.

<sup>4</sup> There were 55 more non-jury cases begun in 1963 than during 1962.

### **Sixth Circuit**

6 Counties    4 Circuit Judges    315,784 Population

This Circuit had a gain in currency of 28 jury cases during 1963<sup>1</sup>, reversing the trends of the two preceding years of losses in currency of jury cases. There was a loss in currency of 98 non-jury cases during 1963<sup>2</sup> due primarily to a loss in Champaign County. In proportion to its population, this Circuit has a relatively small number of pending jury cases. While ranking 5th in population, it ranked 8th in number of pending jury cases. Nineteen percent of the jury cases reaching verdict during 1963 had been filed prior to 1962. This Circuit had less delay in the trial of jury cases than any other circuit except the Fifth Circuit. Moreover, this Circuit had less delay in jury cases reaching verdict during 1963 than it had in 1962.

### **Seventh Circuit**

6 Counties    4 Circuit Judges    267,494 Population

This Circuit had a gain in currency of 11 jury cases and 60 non-jury cases. The latter was due primarily to a gain in Sangamon County. There were 17 more jury cases begun in 1963 than during 1962 but 79 fewer non-jury cases. This Circuit had less than average delay in the trial of jury cases during 1963 but more delay than it had experienced during 1962.

### **Eighth Circuit**

8 Counties    3 Circuit Judges    148,888 Population

This Circuit had a gain in currency of 11 jury cases due primarily to a gain in Adams County and a gain in currency of 12 non-jury cases due primarily to a gain in Menard County. There were 103 (11%) fewer filings of civil cases during 1963 than during 1962. Twenty-six percent of the jury cases reaching verdict during 1963 had been filed prior to 1962. This Circuit had much less than average delay in the trial of jury cases. However, it had more delay in 1963 than it had in 1962.

---

<sup>1</sup> There were 32 fewer jury cases begun in 1963 than during 1962.

<sup>2</sup> There were 48 fewer non-jury cases begun in 1963 than during 1962.



### **Ninth Circuit**

6 Counties    3 Circuit Judges    186,560 Population

This Circuit had a loss in currency of 17 jury cases<sup>1</sup> due primarily to a loss in Knox County. The Circuit also had a loss in currency of 31 non-jury cases<sup>2</sup>. This Circuit had a relatively small number of pending jury cases in proportion to its population. While ranking 17th in population, it ranked 19th in number of pending jury cases on December 31, 1963, and 19th in number of jury terminations. It had fewer jury verdicts during 1963 than any other circuit. Forty percent of the jury cases reaching verdict during 1963 had been filed prior to 1962. This Circuit had less than average delay in the trial of jury cases.

### **Tenth Circuit**

5 Counties    4 Circuit Judges    314,889 Population

This Circuit had a loss in currency of 158 jury cases<sup>3</sup> due primarily to losses in Peoria and Tazewell Counties. This was a greater loss in currency than any other downstate circuit except the 12th Circuit. There was a loss in currency of 49 non-jury cases<sup>4</sup> due primarily to a loss in Peoria County. While this Circuit ranks 6th in population, it had more pending jury cases on December 31, 1963, than any other downstate circuit and it ranked 4th in number of jury terminations. Only 4% of the jury terminations reached verdict. This Circuit had a heavier non-jury caseload during 1963 than any other downstate circuit except the 19th Circuit. There was more delay in the trial of jury cases during 1963 than any other downstate circuit except the 19th and 20th Circuits. However, there was less delay in the trial of jury cases in 1963 than there was in 1962.

---

<sup>1</sup> There were 19 more jury cases begun during 1963 than during 1962.

<sup>2</sup> There were 138 fewer non-jury cases begun during 1963 than during 1962.

<sup>3</sup> There were 41 more jury cases begun in 1963 than during 1962.

<sup>4</sup> There were 132 more non-jury cases begun in 1963 than during 1962.

### **Eleventh Circuit**

5 Counties    3 Circuit Judges    199,059 Population

This Circuit had a gain in currency of 104 jury cases during 1963, a larger gain than any other circuit except the 20th Circuit. The 11th Circuit also had a gain in currency of 174 non-jury cases. The gain in currency of both jury and non-jury cases was due primarily to gains in McLean County. There were 20 fewer cases begun in 1963 than during 1962 in this Circuit. In comparison with its population, this Circuit has a relatively small backlog of jury cases. While ranking 15th in population, it ranked 17th among the circuits in number of jury cases pending on December 31, 1963. It ranked high in number of jury terminations but low in number of jury verdicts. The delay in the trial of jury cases in this Circuit was about average. This Circuit had more delay in jury cases reaching verdict during 1963 than it had in 1962.

### **Twelfth Circuit**

3 Counties    4 Circuit Judges    317,242 Population

Continuing the trend since January 1, 1961, this Circuit had a loss in currency of jury cases. The loss during 1961 was 40 jury cases, during 1962 it was 83 jury cases, and during 1963 the loss was 202 jury cases.<sup>1</sup> The loss in currency of jury cases during 1963 was greater than any other downstate circuit. During 1963 there was a loss in currency of 80 non-jury cases<sup>2</sup> due primarily to a loss in Will County. In proportion to its population and the number of pending jury cases on December 31, 1963, the circuit had relatively few jury terminations and jury verdicts. While ranking 4th in population and 5th in number of pending jury cases on December 31, 1963, this Circuit ranked 12th in number of jury terminations and 14th in number of jury verdicts. Sixty-six percent of the jury cases reaching verdict during 1963 had been filed prior to 1962. This Circuit had more than average delay in the trial of jury cases during 1963. Moreover, it had more delay in the trial of jury cases during 1963 than it had in 1962.

---

<sup>1</sup> There were 51 more jury cases begun during 1963 than there were during 1962.

<sup>2</sup> There were 23 more non-jury cases begun during 1963 than during 1962.



### **Thirteenth Circuit**

3 Counties    3 Circuit Judges    170,744 Population

Continuing the trend starting during 1962, this Circuit had a loss in currency of 27 jury cases during 1963<sup>1</sup>. There was a loss in currency of 11 non-jury cases<sup>2</sup> during 1963 due to a loss in currency in LaSalle County. On December 31, 1963, this Circuit had the smallest number of pending non-jury cases in the State. The number of pending jury cases on December 31, 1963, the number of jury terminations, and the number of jury verdicts were high in comparison with this Circuit's population. Ranking 19th in population, it ranked 16th in number of jury cases pending on December 31, 1963, 15th in number of jury terminations, and 17th in number of jury verdicts. There was slightly less than average delay in the trial of jury cases in this Circuit, but more delay during 1963 than during 1962. oreover, the delay in 1962 was greater than in 1961.

### **Fourteenth Circuit**

4 Counties    3 Circuit Judges    277,344 Population

This Circuit had a loss in currency during 1963 of 65 jury cases<sup>3</sup> and 203 non-jury cases<sup>4</sup>. During 1962 this Circuit had a loss in currency of 108 jury cases and 8 non-jury cases. In relation to the number of pending jury cases on December 31, 1963, this Circuit had a high number of jury terminations and jury verdicts. Ranking 10th among the circuits in number of pending jury cases, it ranked 8th in number of jury terminations and 8th in number of jury verdicts. Thirty-three percent of the jury cases reaching verdict during 1963 had been filed prior to 1962. There was much less than average delay in the trial of jury cases during 1963.

---

<sup>1</sup> There were 19 more jury cases begun during 1963 than during 1962.

<sup>2</sup> There were 116 fewer non-jury cases begun in 1963 than during 1962.

<sup>3</sup> There were 20 fewer jury cases begun in 1963 than during 1962.

<sup>4</sup> There were 17 fewer non-jury cases begun during 1963 than during 1962.

### **Fifteenth Circuit**

5 Counties    3 Circuit Judges    164,390 Population

This Circuit had a loss in currency of 14 jury cases<sup>1</sup> during 1963 due primarily to losses in JoDaviess and Ogle Counties. The circuit also had a loss in currency of 38 non-jury cases<sup>2</sup> due to losses in Carroll, Ogle and Stephenson Counties. This Circuit had almost twice as many jury verdicts in 1963 as it had in 1962. This Circuit had less delay in the trial of jury cases during 1963 than any other circuit except the 5th and 6th Circuits.

### **Sixteenth Circuit**

3 Counties    3 Circuit Judges    277,500 Population

Reversing the favorable trend in 1961 and 1962, this Circuit had a loss in currency of 91 jury cases<sup>3</sup> during 1963. It had a loss in currency of 195 non-jury cases<sup>4</sup> during 1963. When compared to its population, this Circuit had a large number of pending jury cases on December 31, 1963. Ranking 8th among the circuits in population, it ranked 6th in number of pending jury cases on December 31, 1963. On January 1, 1963, this Circuit ranked 9th in number of pending jury cases. Fifty-seven percent of the jury cases reaching verdict during 1963 had been filed prior to 1962. There was more than average delay in the trial of jury cases in this Circuit during 1963. This Circuit had more delay in jury cases reaching verdict in 1963 than it had in 1962.

### **Seventeenth Circuit**

2 Counties    3 Circuit Judges    230,091 Population

This Circuit had a loss in currency of 108 jury cases during 1963. More than half of this loss in currency may be attributed to an increase in the number of jury cases begun in 1963 (there were 59 more jury cases begun

---

<sup>1</sup> There were 14 more jury cases filed during 1963 than there were during 1962.

<sup>2</sup> There were 38 fewer non-jury cases filed during 1963 than during 1962.

<sup>3</sup> There were 57 more jury cases begun during 1963 than during the previous year.

<sup>4</sup> There were 50 fewer non-jury cases begun during 1963 than during the preceding year.



during 1963 than during 1962). This Circuit had a loss in currency of 176 non-jury cases.<sup>1</sup> Ranking 12th among the circuits in population and 11th in number of pending jury cases on December 31, 1963, this Circuit ranked 16th in number of jury terminations during 1963. It ranked 10th in number of jury verdicts. Thirty-five percent of the jury cases reaching verdict during 1963 had been filed prior to 1962. There was less than average delay in the trial of jury cases during 1963. However, this Circuit had more delay in 1963 than it had in 1962.

### **Eighteenth Circuit**

1 County    3 Circuit Judges<sup>2</sup>    313,459 Population

In 1963 there was a loss in currency of 130 jury cases in this Circuit.<sup>3</sup> In 1962 there was no loss in currency of jury cases. There was a gain in currency of 8 non-jury cases during 1963<sup>4</sup>. While ranking 4th in number of pending jury cases, the circuit ranked 6th in number of jury terminations. There were almost twice as many jury verdicts in 1963 as there were in 1962. Fifty-nine percent of the jury cases reaching verdict during 1963 had been filed prior to 1962. There was more than average delay in the trial of jury cases in this Circuit during 1963. However, there was less delay in the Circuit during 1963 than there was in 1962.

### **Nineteenth Circuit**

2 Counties    4 Circuit Judges    377,866 Population

This Circuit has more people than any other circuit except Cook County. For the third year in a row (and since the inception of statistics on jury cases in Illinois) this Circuit had a gain in currency of jury cases. The gain during 1963 was 43 jury cases due to a gain in Lake County.<sup>5</sup> There was a loss in currency of 109 non-jury

---

<sup>1</sup> There were 8 more non-jury cases begun in 1963 than were begun in 1962.

<sup>2</sup> This Circuit is scheduled to elect a fourth circuit judge in November 1964.

<sup>3</sup> There were 31 more jury cases begun in 1963 than there were in 1962.

<sup>4</sup> There were 406 more non-jury cases begun in 1963 than during 1962.

<sup>5</sup> This gain was made even though 26 more jury cases were begun in 1963 than in 1962.

cases.<sup>1</sup> This Circuit had more delay in jury cases reaching verdict during 1963 than any other circuit except Cook and more delay in jury cases reaching verdict in 1963 than it did in 1962.

### **Twentieth Circuit**

5 Counties    4 Circuit Judges    340,757 Population

The figures from this Circuit show a gain in currency of 509 jury cases and a loss in currency of 447 non-jury cases. This Circuit had more jury cases begun during 1963 than any other downstate circuit. It had 44 more jury cases and 335 more non-jury cases begun in 1963 than in 1962. This Circuit had more delay in jury 1963 than in 1962. This Circuit had more delay in jury cases reaching verdict than any other downstate circuit except the 19th Circuit. This Circuit had more delay in 1963 than it had in 1962 and in 1962 there was more delay than in 1961.

### **SUMMARY**

The greatest loss in currency of jury cases during 1963 was in Cook County, which had a loss of 2232 jury cases. This compares with a loss of 3017 jury cases in 1962. Downstate, the greatest loss in currency of jury cases was in the 12th Circuit, which had a loss of 202 cases. Next was the 10th Circuit with a loss of 158 jury cases, the 18th Circuit with a loss of 130 cases, and the 17th Circuit with a loss of 108 cases. The greatest loss in currency of non-jury cases was also in Cook County, which had a loss of 22,570 non-jury cases primarily due to advance filings of tax cases.

For the period from September 1, 1963, through March 31, 1964, the average delay between the date of filing and the date of verdict of all law-jury cases reaching verdict in Cook County was slightly less than 5 years. By way of contrast, the law-jury cases reaching verdict during the period of September 4, 1962, through March 31, 1963, took an average of 5 years and 8 months from the date of filing to the date of verdict. The law-jury cases reaching verdict during the period of September

---

<sup>1</sup> There were 253 more non-jury cases begun in 1963 than there were in 1962.



1, 1961—March 31, 1962, took an average of 5 years and 11 months from the date of filing to the date of verdict. Thus, it takes 8 months less time, on the average, for a law-jury case to reach verdict during the current court year than it did the year before and 11 months less time than it did during the 1961-1962 court year.

On the average, 46% of the downstate jury cases reaching verdict during 1963 had been filed prior to 1962. The comparable figure from last year's report was 38%. This shows that, in general, there was more delay in the trial of jury cases during 1963 than in 1962. The greatest delay in jury cases reaching verdict during 1963 in the downstate area was in the 19th Circuit. The next to the greatest delay was in the 20th Circuit. Next were the 10th, 12th, 16th, 18th, 3rd, 2nd, 11th, 13th, 7th, 9th, 4th, 1st, 8th, 14th, 17th, 15th, 6th and 5th Circuits in that order, the 5th Circuit having the least amount of delay.

The delay in the trial of non-jury cases in Illinois during 1963 was not nearly as great as in the jury area. Downstate, 26% of the contested non-jury terminations (other than divorces) had been filed prior to 1962. In Cook County 28% of the contested non-jury terminations (other than divorces) had been filed prior to 1962. Both of these figures were exactly the same in last year's report.

Table 3 shows a correlation between the percentage of jury terminations reaching verdict and the delay in the trial of jury cases. Generally, where there is more delay there is a lesser percentage of the cases that reach verdicts.

Table 1

## THE TREND OF CIVIL CASES IN THE CIRCUIT AND SUPERIOR COURTS DURING 1963

Circuit	No. of Jury Cases begun or reinstated during 1963	No. of Jury Cases pending January 1, 1963	No. of Jury Cases pending December 31, 1963	Gain or loss in currency of Jury Cases during 1963		No. of non-jury cases begun or reinstated during 1963	No. of non-jury cases pending January 1, 1963	No. of non-jury cases pending December 31, 1963	Gain or loss in currency of non- jury cases during 1963		Popula- tion (1960)
	Gain	Loss	Gain	Loss	Gain	Loss	Gain	Loss			
COOK COUNTY											
Circuit Court.....	5,492	31,327	33,691		2,364	24,271	13,008	22,157		9,149	
Superior Court.....	5,007	14,895	14,763	132		36,196	15,813	29,234		13,421	
TOTAL FOR COOK COUNTY.	10,499	46,222	48,454		2,232	60,467	28,821	51,391		22,570	5,129,725
FIRST CIRCUIT											
Alexander.....	5	13	12	1		116	272	154	118		16,061
Jackson.....	59	52	50	2		352	440	444		4	42,151
Johnson.....	14	13	15		2	37	60	26	34		6,928
Massac.....	12	24	15	9		91	76	64	12		14,341
Pope.....	0	4	3	1		13	22	12	10		4,061
Pulaski.....	1	16	17		1	45	144	170		26	10,490
Saline.....	28	67	68		1	87	291	208	83		26,227
Union.....	10	42	35	7		94	158	93	65		17,645
Williamson.....	71	150	138	12		297	382	162	220		46,117
TOTAL FOR CIRCUIT.....	200	381	353	28		1,132	1,845	1,333	512		184,021
SECOND CIRCUIT											
Crawford.....	2	7	3	4		111	87	68	19		20,751
Edwards.....	5	9	11		2	39	75	80		5	7,940
Franklin.....	52	106	111		5	226	371	394		23	39,281
Gallatin.....	19	13	21		8	30	65	61	4		7,638
Hamilton.....	9	13	10	3		75	62	64		2	10,010
Hardin.....	13	5	16		11	24	20	21		1	5,879
Jefferson.....	34	57	64		7	279	280	311		31	32,315
Lawrence.....	4	21	15	6		130	173	178		5	18,540
Richland.....	11	10	17		7	93	129	88	41		16,299



Table 1 (Continued)

Circuit	No. of Jury Cases begun or reinstated during 1963	No. of Jury Cases pending January 1, 1963	No. of Jury Cases pending December 31, 1963	Gain or loss in currency of Jury Cases during 1963		No. of non-jury cases begun or reinstated during 1963	No. of non-jury cases pending January 1, 1963	No. of non-jury cases pending December 31, 1963	Gain or loss in currency of non- jury cases during 1963		Popula- tion (1960)
				Gain	Loss				Gain	Loss	
Wabash.....	6	6	3	3		103	109	136		27	14,047
Wayne.....	6	19	18	1		147	193	234		41	19,008
White.....	17	21	28		7	149	152	185		33	19,373
TOTAL FOR CIRCUIT.....	178	287	317		30	1,406	1,716	1,820		104	211,081
THIRD CIRCUIT											
Bond.....	21	31	38		7	31	41	47		6	14,060
Madison.....	422	614	603	11		1,493	1,484	1,722		238	224,689
TOTAL FOR CIRCUIT.....	443	645	641	4		1,524	1,525	1,769		244	238,749
FOURTH CIRCUIT											
Christian.....	26	60	48	12		153	142	123	19		37,207
Clay.....	17	16	19		3	121	59	88		29	15,815
Clinton.....	15	19	22		3	59	67	85		18	24,029
Effingham.....	36	38	51		13	65	61	80		19	23,107
Fayette.....	8	25	17	8		108	62	36	26		21,946
Jasper.....	6	4	7		3	28	22	34		12	11,346
Marion.....	33	69	80		11	181	142	211		69	39,349
Montgomery.....	31	24	37		13	82	76	80		4	31,244
Shelby.....	12	38	35	3		76	77	109		32	23,404
TOTAL FOR CIRCUIT.....	184	293	316		23	873	708	846		138	227,447
FIFTH CIRCUIT											
Clark.....	5	7	4	3		72	94	71	23		16,546
Coles.....	31	47	10	37		229	340	211	129		42,860
Cumberland.....	8	12	8	4		50	161	151	10		9,936
Edgar.....	33	51	40	11		112	129	81	48		22,550
Vermilion.....	83	203	158	45		606	398	227	171		96,176
TOTAL FOR CIRCUIT.....	160	320	220	100		1,069	1,122	741	381		188,068

## SIXTH CIRCUIT

Champaign.....	204	311	312		1	703	545	765		220	132,436
DeWitt.....	10	4	4			89	163	188		25	17,253
Douglas.....	13	46	26	20		84	164	119	45		19,243
Macon.....	191	220	208	12		627	698	593	105		118,257
Moultrie.....	10	16	17		1	67	126	131		5	13,635
Piatt.....	6	15	17		2	69	30	28	2		14,960

TOTAL FOR CIRCUIT.....	434	612	584	28		1,639	1,726	1,824		98	315,784
------------------------	-----	-----	-----	----	--	-------	-------	-------	--	----	---------

## SEVENTH CIRCUIT

Greene.....	9	12	14		2	73	60	63		3	17,460
Jersey.....	29	35	42		7	113	129	115	14		17,023
Macoupin.....	56	97	68	29		223	371	381		10	43,524
Morgan.....	11	40	34	6		160	168	209		41	36,571
Sangamon.....	164	349	360		11	1,202	1,780	1,671	109		146,539
Scott.....	3	5	9		4	31	28	37		9	6,377

TOTAL FOR CIRCUIT.....	272	538	527	11		1,802	2,536	2,476	60		267,494
------------------------	-----	-----	-----	----	--	-------	-------	-------	----	--	---------

## EIGHTH CIRCUIT

Adams.....	46	61	43	18		383	198	210		12	68,467
Brown.....	6	8	9		1	35	28	32		4	6,210
Calhoun.....	4	4	7		3	20	8	9		1	5,933
Cass.....	9	5	12		7	51	48	47	1		14,537
Mason.....	6	16	12	4		105	63	62	1		15,193
Menard.....	4	11	6	5		36	38	16	22		9,248
Pike.....	13	22	24		2	89	62	55	7		20,552
Schuyler.....	7	6	9		3	48	19	21		2	8,746

TOTAL FOR CIRCUIT.....	95	133	122	11		767	464	452	12		148,888
------------------------	----	-----	-----	----	--	-----	-----	-----	----	--	---------

## NINTH CIRCUIT

Fulton.....	36	52	57		5	221	186	172	14		41,954
Hancock.....	1	11	8	3		100	142	154		12	24,574
Henderson.....	8	17	19		2	62	72	99		27	8,237
Knox.....	36	29	40		11	442	377	356	21		61,280
McDonough.....	13	28	27	1		147	103	107		4	28,928
Warren.....	15	17	20		3	102	56	79		23	21,587

TOTAL FOR CIRCUIT.....	109	154	171		17	1,074	936	967		31	186,560
------------------------	-----	-----	-----	--	----	-------	-----	-----	--	----	---------



Table 1 (Continued)

Circuit	No. of Jury Cases begun or reinstated during 1963	No. of Jury Cases pending January 1, 1963	No. of Jury Cases pending December 31, 1963	Gain or loss in currency of Jury Cases during 1963		No. of non-jury cases begun or reinstated during 1963	No. of non-jury cases pending January 1, 1963	No. of non-jury cases pending December 31, 1963	Gain or loss in currency of non- jury cases during 1963		Popula- tion (1960)
				Gain	Loss				Gain	Loss	
TENTH CIRCUIT											
Marshall.....	6	15	17		2	32	81	91		10	13,334
Peoria.....	407	870	951		81	1,624	1,082	1,129		47	189,044
Putnam.....	10	18	18			17	45	46		1	4,570
Stark.....	16	13	20		7	26	78	83		5	8,152
Tazewell.....	157	292	360		68	578	411	397	14		99,789
TOTAL FOR CIRCUIT.....	596	1,208	1,366		158	2,277	1,697	1,746		49	314,889
ELEVENTH CIRCUIT											
Ford.....	9	30	28	2		72	90	66	24		16,606
Livingston.....	44	52	51	1		186	259	295		36	40,341
Logan.....	28	59	69		10	139	161	154	7		33,656
McLean.....	70	214	101	113		499	768	589	179		83,877
Woodford.....	16	30	32		2	56	44	44			24,579
TOTAL FOR CIRCUIT.....	167	385	281	104		952	1,322	1,148	174		199,059
TWELFTH CIRCUIT											
Iroquois.....	34	27	36		9	145	100	109		9	33,562
Kankakee.....	79	188	231		43	567	645	597	48		92,063
Will.....	312	436	586		150	1,145	668	787		119	191,617
TOTAL FOR CIRCUIT.....	425	651	853		202	1,857	1,413	1,493		80	317,242
THIRTEENTH CIRCUIT											
Bureau.....	34	44	46		2	166	89	71	18		37,594
Grundy.....	27	22	30		8	96	26	24	2		22,350
LaSalle.....	151	200	217		17	595	210	241		31	110,800
TOTAL FOR CIRCUIT.....	212	266	293		27	857	325	336		11	170,744
FOURTEENTH CIRCUIT											
Henry.....	48	28	45		17	143	152	168		16	49,317
Mercer.....	9	16	15	1		88	30	58		28	17,149
Rock Island.....	225	372	410		38	956	642	780		138	150,991
Whiteside.....	36	38	49		11	237	153	174		21	59,887
TOTAL FOR CIRCUIT.....	318	454	519		65	1,424	977	1,180		203	277,344

## FIFTEENTH CIRCUIT

Carroll.....	10	16	18		2	134	56	73		17	19,507
JoDavies.....	10	22	33		11	49	111	103	8		21,821
Lee.....	15	50	42	8		179	156	151	5		38,749
Ogle.....	41	23	40		17	214	128	146		18	38,106
Stephenson.....	26	42	34	8		324	248	264		16	46,207

TOTAL FOR CIRCUIT.....	102	153	167		14	900	699	737		38	164,390
------------------------	-----	-----	-----	--	----	-----	-----	-----	--	----	---------

## SIXTEENTH CIRCUIT

DeKalb.....	130	87	84	3		551	194	212		18	51,714
Kane.....	343	487	570		83	1,214	912	1,078		166	208,246
Kendall.....	26	28	39		11	120	78	89		11	17,540

TOTAL FOR CIRCUIT.....	499	602	693		91	1,885	1,184	1,379		195	277,500
------------------------	-----	-----	-----	--	----	-------	-------	-------	--	-----	---------

## SEVENTEENTH CIRCUIT

Boone.....	23	25	46		21	143	79	123		44	20,326
Winnebago.....	266	360	447		87	1,747	1,690	1,822		132	209,765

TOTAL FOR CIRCUIT.....	289	385	493		108	1,890	1,769	1,945		176	230,091
------------------------	-----	-----	-----	--	-----	-------	-------	-------	--	-----	---------

## EIGHTEENTH CIRCUIT

DuPage.....	513	853	983		130	2,196	1,585	1,577	8		313,459
-------------	-----	-----	-----	--	-----	-------	-------	-------	---	--	---------

TOTAL FOR CIRCUIT.....	513	853	983		130	2,196	1,585	1,577	8		313,459
------------------------	-----	-----	-----	--	-----	-------	-------	-------	---	--	---------

## NINETEENTH CIRCUIT

Lake.....	538	966	880	86		2,344	1,822	1,992		170	293,656
McHenry.....	118	242	285		43	750	818	757	61		84,210

TOTAL FOR CIRCUIT.....	656	1,208	1,165	43		3,094	2,640	2,749		109	377,866
------------------------	-----	-------	-------	----	--	-------	-------	-------	--	-----	---------



Table 1 (Continued)

Circuit	No. of Jury Cases begun or reinstated during 1963	No. of Jury Cases pending January 1, 1963	No. of Jury Cases pending December 31, 1963	Gain or loss in currency of Jury Cases during 1963		No. of non-jury cases begun or reinstated during 1963	No. of non-jury cases pending January 1, 1963	No. of non-jury cases pending December 31, 1963	Gain or loss in currency of non- jury cases during 1963		Popula- tion (1960)
				Gain	Loss				Gain	Loss	
TWENTIETH CIRCUIT											
Monroe.....	12	18	22		4	66	41	54		13	15,507
Perry.....	6	41	38	3		85	143	174		31	19,184
Randolph.....	16	42	55		13	383	207	147	60		29,988
St. Clair.....	642	870	344	526		1,667	2,979	3,444		465	262,509
Washington.....	19	17	20		3	24	45	43	2		13,569
TOTAL FOR CIRCUIT.....	695	988	479	509		2,225	3,415	3,862		447	340,757
COOK COUNTY TOTAL.....	10,499	46,222	48,454		2,232	60,467	28,821	51,391		22,570	5,129,725
DOWNSSTATE TOTAL.....	6,547	10,516	10,543		27	30,843	29,604	30,380		776	4,951,433
STATE TOTAL.....	17,046	56,738	58,997		2,259	91,310	58,425	81,771		23,346	10,081,158

Table 2

**THE NATURE OF THE TERMINATION OF CIVIL CASES  
IN THE CIRCUIT AND SUPERIOR COURTS DURING 1963**

	Total Number of Termi- nations	UNCONTESTED		CONTESTED			% of Total Termi- nations That Were Contested
		Other than Divorces	Default Divorces	Non-Jury Except Divorces	Divorces	Jury Verdicts Except Divorces	
Cook County.....	49,710	31,117	10,298	6,936	551	808	17
1st Circuit .....	1,880	1,226	559	34	10	51	5
2nd Circuit .....	1,450	768	359	112	150	61	22
3rd Circuit .....	1,727	1,047	455	118	9	98	13
4th Circuit .....	893	517	251	56	35	34	14
5th Circuit .....	1,666	916	414	158	129	49	20
6th Circuit .....	1,999	1,040	550	145	194	70	20
7th Circuit .....	2,145	1,207	538	111	240	49	19
8th Circuit .....	875	480	281	41	50	23	13
9th Circuit .....	1,138	530	320	102	171	15	25
10th Circuit .....	2,657	1,224	1,001	212	194	26	16
11th Circuit .....	1,400	923	221	43	194	19	18
12th Circuit .....	2,007	1,033	438	267	228	41	27
13th Circuit .....	1,031	561	229	151	64	26	23
14th Circuit .....	1,477	705	138	201	372	61	43
15th Circuit .....	950	493	83	76	266	32	39
16th Circuit .....	1,815	1,125	304	113	206	67	21
17th Circuit .....	1,895	931	242	240	430	52	38
18th Circuit .....	2,587	1,535	420	515	48	69	24
19th Circuit .....	3,682	2,192	749	523	122	96	20
20th Circuit .....	2,982	2,032	635	243	4	68	11
Total for Downstate ....	36,256	20,485	8,187	3,461	3,116	1,007	21
Total for State..	85,966	51,602	18,485	10,397	3,667	1,815	18



**Table 3**  
**THE YEAR OF FILING OF JURY CASES REACHING VERDICT**  
**DURING 1963 AND RELATED MATTERS**

CIRCUIT	Total No. of Jury Verdicts	Filed Before 1956	Filed in 1956	Filed in 1957	Filed in 1958	Filed in 1959	Filed in 1960	Filed in 1961	Filed in 1962	Filed in 1963	Circuit's relative position as to number of jury cases pending on January 1, 1963	Circuit's relative position as to number of jury cases pending on December 31, 1963	Circuit's relative position as to number of jury cases terminated in 1963	Circuit's relative position as to number of jury verdicts	Circuit's relative position as to population (1960)	Percent of total jury terminations that reached verdict	Percent of jury cases reaching verdict in 1963 that had been filed prior to 1962
COOK.....	808	35	156	224	115	145	22	50	49	12	1	1	1	1	1	6	92
1st.....	51				3	1	1	11	24	11	14	13	14	11	18	22	31
2nd.....	61	1		2	2		3	18	26	9	17	14	18	8	14	38	43
3rd.....	98	1		2		3	7	33	46	6	7	7	7	2	11	21	47
4th.....	34			1		1	2	9	14	7	16	15	17	15	13	21	38
5th.....	49					1	2	4	31	11	15	18	13	12	16	19	14
6th.....	70				1		4	8	40	17	8	8	5	4	5	14	19
7th.....	49						6	19	20	4	10	9	10	12	10	17	51
8th.....	23 <sup>1</sup>					1	2	3	13	4	21	21	20	19	21	18	26
9th.....	15						4	2	6	3	19	19	19	21	17	11	40
10th.....	26					1	6	12	7		2	2	4	17	6	4	73
11th.....	19	1				1	1	4	8	4	12	17	11	20	15	7	37
12th.....	41	1		1			9	16	8	6	6	5	12	14	4	15	66
13th.....	26						1	14	10	1	18	16	15	17	19	13	58
14th.....	61					1	2	17	29	12	11	10	8	8	9	18	33
15th.....	32		1			1		8	10	12	20	20	21	16	20	36	31
16th.....	67				3	3	9	23	25	4	9	6	9	7	8	20	57
17th.....	52					2		16	22	12	12	11	16	10	12	28	35
18th.....	69			1		4	10	26	23	5	5	4	6	5	7	14	59
19th.....	96	1	2		2	11	21	25	29	5	2	3	3	3	2	13	65
20th.....	68				5		12	35	12	4	4	12	2	6	3	6	76
DOWNSTATE TOTAL.....	1,007	5	3	7	16	31	102	303	403	137						14	46
STATE TOTAL.....	1,815	40	159	231	131	176	124	353	452	149						9	67

<sup>1</sup> In Pike County, includes jury cases reaching trial but not verdict.

## **CRIMINAL CASES IN THE CIRCUIT COURTS<sup>1</sup> AND THE CRIMINAL COURT OF COOK COUNTY**

There were 1200 criminal cases pending in Cook County on January 1, 1963, compared to 1344 cases on December 31, 1963, showing a loss in currency of 144 cases. This compares with a loss in currency during 1962 of 441 cases. Downstate Circuits 1 through 20 had 3264 criminal cases pending on January 1, 1963, compared with 2913 cases pending on December 31, 1963, showing a gain in currency of 351 cases. This gain was primarily due to the fact that 412 cases were dismissed in St. Clair County in December. Cook County had 628 more cases begun or reinstated during 1963 than the combined number for downstate Circuits 1 through 20, and Cook County had 133 more cases disposed of than downstate. Cook County had 991 more cases disposed of during 1963 than in 1962, while downstate had 1010 more cases disposed of during 1963 than during 1962.

The 6th Circuit had the highest number of criminal cases begun or reinstated in downstate Illinois during 1963. The 20th Circuit had the highest number of cases disposed of (as noted above, 412 cases were dismissed in St. Clair County in one month). The percentage of defendants that were convicted ranged from 22% in the 20th Circuit to 88% in the 9th Circuit. The 6th Circuit had the highest number of defendants tried by jury in downstate Illinois.

Of the 7,549 criminal cases disposed of during 1963, 49.1% were disposed of in downstate Circuits 1 through 20 and 50.9% by the Criminal Court of Cook County. There were 450 defendants tried by juries in Illinois during 1963, 40% of whom were acquitted and 60% of whom were convicted. Of 788 defendants tried before courts without juries, 26% were acquitted and 74% convicted.

Of the 450 defendants tried by juries during 1963, 51% were tried in Cook County and 49% downstate. Of those tried in Cook County, 35% were acquitted, while 44% of those tried downstate were acquitted. Of 788 defendants tried by the court without a jury, 74% were

---

<sup>1</sup> Reference is to the Circuit Court as constituted prior to the effective date of the new Judicial Article.



tried in Cook County and 26% downstate. Of the 585 defendants tried by the court without a jury in Cook County, 30% were acquitted. In the 20 downstate circuits, 14% of the 203 defendants tried by the court were acquitted.

Of the 1060 defendants not convicted in Cook County, 76% were dismissed without trial. In downstate Circuits 1 through 20, 93% of the 1812 defendants not convicted were dismissed without trial.

Cook County had 2743 defendants who were convicted and sentenced during 1963, as compared to 2093 defendants convicted and sentenced in 1962. Downstate Circuits 1 through 20 had 2260 defendants who were convicted and sentenced during 1963, as compared to 2083 such defendants in 1962. This shows an upward trend in the number of convictions in both areas, with the most marked increase in Cook County. In Cook County, of 2743 defendants who were convicted and sentenced during 1963, 80% pleaded guilty, as compared to 72% in 1962. Eighty-seven percent of the defendants who were convicted and sentenced in the 20 downstate circuits pleaded guilty. In the 13th Circuit, of the 59 defendants convicted and sentenced, 58 had pleaded guilty. This was a higher proportion of defendants pleading guilty than any other circuit. At the other extreme, 72% of the defendants convicted in the 7th Circuit had pleaded guilty. This was a lower percentage than any other circuit in the state.

In Cook County, of 2743 defendants convicted and sentenced during 1963, 76% were sentenced to imprisonment. This same percentage was reported for calendar years 1961 and 1962. In downstate Circuits 1 through 20, 54% of the defendants convicted were sentenced to imprisonment. This percentage is slightly less than that reported for 1961 and 1962. Most of the remaining defendants were granted probation. A much higher percentage of the convicted defendants in Circuits 1 through 20 were granted probation than in Cook County. Less than 2% of the convicted defendants received only fines.

Table 4

**THE TREND OF CRIMINAL CASES IN THE CIRCUIT COURTS  
AND THE CRIMINAL COURT OF COOK COUNTY DURING 1963**

Circuit	Cases Pending on Jan. 1, 1963	Cases Begun or Reinstated in 1963	Cases Disposed of in 1963	Cases Pending on Dec. 31, 1963	Gain or Loss in Currency	
					Gain	Loss
Cook County .....	1200	3985	3841	1344		144
1st Circuit .....	257	78	138	197	60	
2nd Circuit .....	215	248	116	347		132
3rd Circuit .....	146	191	166	171		25
4th Circuit .....	217	213	188	242		25
5th Circuit .....	246	207	233	220	26	
6th Circuit .....	138	304	319	123	15	
7th Circuit .....	155	176	173	158		3
8th Circuit .....	53	103	116	40	13	
9th Circuit .....	137	99	80	156		19
10th Circuit .....	210	156	241	125	85	
11th Circuit .....	83	91	114	60	23	
12th Circuit .....	64	120	123	61	3	
13th Circuit .....	32	95	86	41		9
14th Circuit .....	174	161	249*	86	88	
15th Circuit .....	79	173	158	94		15
16th Circuit .....	98	176	184	90	8	
17th Circuit .....	91	182	143	130		39
18th Circuit .....	103	148	127	124		21
19th Circuit .....	252	151	122	281		29
20th Circuit .....	514	285	632	167	347	
Total for Downstate.....	3264	3357	3708	2913	351	
Total for State .....	4464	7342	7549	4257	207	

\* 15 cases were stricken from docket in April 1963 because they had been previously committed to probation.

Table 5

## DISPOSITION OF DEFENDANTS IN CRIMINAL CASES TERMINATED DURING 1963

CIRCUIT	Total Number of Defendants	NOT CONVICTED				CONVICTED AND SENTENCED				TYPE OF SENTENCE		
		Total	Dis- missed	Acquitted by Court	Acquitted by Jury	Total	Plead Guilty	Convicted by Court	Convicted by Jury	Imprison- ment	Proba- tion	Fine Only
COOK COUNTY.....	3,803	1,060	802	177	81	2,743	2,185	408	150	2,095	608	40
1st.....	162	99	98		1	63	59	3	1	37	25	1
2nd.....	119	36	35		1	83	74	7	2	48	34	1
3rd.....	236	127	120	2	5	109	101		8	48	60	1
4th.....	201	96	91		5	105	97	1	7	65	34	6
5th.....	229	94	89	1	4	135	118	8	9	80	53	2
6th.....	329	85	77		8	244	210	13	21	122	122	
7th.....	183	49	37	4	8	134	96	27	11	64	61	9
8th.....	128	59	57		2	69	65	4		35	31	3
9th.....	99	12	12			87	77	9	1	55	32	
10th.....	272	156	152		4	116	105	4	7	82	34	
11th.....	113	44	35	2	7	69	56	3	10	44	25	
12th.....	151	64	58	1	5	87	71	16		49	38	
13th.....	71	12	8	1	3	59	58	1		23	34	2
14th.....	250	109	99	2	8	141	135	1	5	88	53	
15th.....	144	55	49	2	4	89	83	2	4	54	32	3
16th.....	228	85	79	2	4	143	133	5	5	82	59	2
17th.....	195	28	16	5	7	167	136	10	21	70	95	2
18th.....	189	76	58	6	12	113	94	14	5	54	50	9
19th.....	133	28	26		2	105	91	12	2	42	56	7
20th.....	640	498	491		7	142	104	35	3	82	60	
COOK COUNTY TOTAL.	3,803	1,060	802	177	81	2,743	2,185	408	150	2,095	608	40
DOWNSTATE TOTAL...	4,072	1,812	1,687	28	97	2,260	1,963	175	122	1,224	988	48
STATE TOTAL.....	7,875	2,872	2,489	205	178	5,003	4,148	583	272	3,319	1,596	88



## COUNTY AND PROBATE COURTS

Prior to January 1, 1964, most of the county judges administered probate matters along with their other responsibilities. However, the counties of Champaign, Cook, DuPage, Kane, Kankakee, Lake, LaSalle, Macon, Madison, McLean, Peoria, Rock Island, Sangamon, St. Clair, Vermilion, Will and Winnebago had separate probate courts.

### THE TREND OF CIVIL CASES (OTHER THAN PROBATE) IN THE COUNTY COURTS DURING 1963

On January 1, 1963, there were 22,965 civil cases (other than probate) pending in the county courts of Illinois. On December 31, 1963, this number had increased by 66% to 38,179. There were 5,612 more cases begun or reinstated during 1963 than during 1962. Only 17 of the 102 counties showed a gain in currency during 1963. Macon County had the greatest gain (262 cases) and Warren County was next with a gain of 176 cases. Cook County had the greatest loss in currency (6799 cases). Other counties with high losses in currency were: Lake, 2438 cases; DuPage, 1152 cases; Vermilion, 799 cases; Winnebago, 611 cases; Rock Island, 437 cases; St. Clair, 312 cases; and Kankakee, 304 cases.

Table 6 reveals a wide disparity in the caseloads of the county courts. Cook County had the highest number of cases begun or reinstated during 1963 (25,545). Lake County was next with 4662 cases begun or reinstated, then DuPage County with 2953 cases and Winnebago County with 2842 cases. At the other extreme, Pope County had the fewest number of cases begun or reinstated, a total of 7 cases during calendar year 1963. Hardin County had 8 cases begun or reinstated during the year. Twenty-one of the 102 counties in Illinois each had less than 50 cases begun or reinstated during 1963.

Of the 60,301 civil cases (other than probate) begun or reinstated in Illinois during 1963, 34% were proceedings involving taxes or special assessments, 25% were proceedings involving families or children, 23% were proceedings involving mental illness or deficiency, and 19% were other civil proceedings.

Of 45,087 civil cases (other than probate) terminated in Illinois during 1963, 454, or 1%, involved jury cases

reaching verdict. Excluding Cook County, the total number of cases terminated during 1963 ranged from 3 in Hardin County to 2231 in Winnebago County. Twenty-eight counties each had less than 50 civil cases (other than probate) terminated during calendar year 1963.

THE AGE OF CIVIL CASES (OTHER THAN  
PROBATE) PENDING IN THE COUNTY  
COURTS ON DECEMBER 31, 1963

It is difficult to analyze the true nature and extent of the delay in the county courts. Proceedings involving children are often counted as pending until the children reach age 21. Proceedings involving mental illness are sometimes counted as pending until the afflicted individual dies. Cases in general remain pending though no one has any intention of proceeding further. Concern should be centered on cases delayed because the judge has insufficient time to hear them. The present statistics do not reveal this.

Cook County had the greatest number of pending cases over 6 months of age (20,825). Other counties with large numbers of pending cases over 6 months of age were: Kane, 1705 cases; DuPage, 1441 cases; Lake, 1236 cases; Winnebago, 1200 cases; Champaign, 893 cases; Vermilion, 821 cases; Macon, 597 cases; and Madison, 568 cases.

Cook County also had the greatest number of pending cases over 3 years of age (3931). Other counties with large numbers of pending cases over 3 years of age were: Lake, 499 cases; Champaign, 267 cases; McHenry, 258 cases; Kane, 221 cases; DeKalb, 215 cases; DuPage, 199 cases; Madison, 187 cases; and Macon, 185 cases.



Table 6

**THE TREND OF CIVIL CASES (OTHER THAN PROBATE)  
IN THE COUNTY COURTS DURING 1963**

County and Circuit	NUMBER OF CASES BEGUN OR REINSTATED DURING 1963					NO. OF CASES TERMINATED DURING 1963		GAIN OR LOSS IN CURRENCY DURING 1963	
	Families and Children	Mental Illness or deficiency	Taxes of any kind	Other Civil	Total	Number of Jury Verdicts	Total termina- tions	Gain	Loss
COOK COUNTY.....	5,197	8,546	7,493	4,309	25,545	132	18,746		6,799
FIRST CIRCUIT									
Alexander.....	44	45	38	4	131	1	96		35
Jackson.....	31	49	217	53	350	2	218		132
Johnson.....	4	11	2	2	19		19	0	0
Massac.....	29	36	5	26	96	9	88		8
Pope.....	1	3	2	1	7		7	0	0
Pulaski.....	92	15	57	4	168		157		11
Saline.....	31	51		48	130		63		67
Union.....	3	35	6	8	52		47		5
Williamson.....	90	71	6	50	217		156		61
TOTAL FOR CIRCUIT.....	325	316	333	196	1,170	12	851		319
SECOND CIRCUIT									
Crawford.....	41	18	4	28	91		43		48
Edwards.....	2	6	8	48	64		61		3
Franklin.....	120	90	22	9	241	3	216		25
Gallatin.....	6	7	10	11	34		26		8
Hamilton.....	22	13	11	6	52	4	36		16
Hardin.....	0	2	6	0	8		3		5
Jefferson.....	38	29	188	39	294	1	234		60
Lawrence.....	19	23	9	8	59		30		29



Table 6 (Continued)

County and Circuit	NUMBER OF CASES BEGUN OR REINSTATED DURING 1963					NO. OF CASES TERMINATED DURING 1963		GAIN OR LOSS IN CURRENCY DURING 1963	
	Families and Children	Mental Illness or deficiency	Taxes of any kind	Other Civil	Total	Number of Jury Verdicts	Total terminations	Gain	Loss
Richland.....	21	12	19	63	115	2	130	15	
Wabash.....	20	21	79	12	132		66		66
Wayne.....	28	20	23	7	78	2	175	97	
White.....	27	29	16	15	87		85		2
TOTAL FOR CIRCUIT.....	344	270	395	246	1,255	12	1,105		150
THIRD CIRCUIT									
Bond.....	8		1	23	32	1	20		12
Madison.....	311	401	459	347	1,518	8	1,355		163
TOTAL FOR CIRCUIT.....	319	401	460	370	1,550	9	1,375		175
FOURTH CIRCUIT									
Christian.....	119	19	111	230	479		305		174
Clay.....	26	20	14	26	86		63		23
Clinton.....	9	14	120	3	146		68		78
Effingham.....	19	24	6	24	73	3	79	6	
Fayette.....	35	22		30	87	1	38		49
Jasper.....	8	11	4	6	29	1	15		14
Marion.....	102	61	14	20	197	6	139		58
Montgomery.....	28	27	44	51	150	1	107		43
Shelby.....	19	7	22	27	75		63		12
TOTAL FOR CIRCUIT.....	365	205	335	417	1,322	12	877		445
FIFTH CIRCUIT									
Clark.....	17	18	35	4	74		72		2
Coles.....	97	42	108	155	402	2	239		163
Cumberland.....	18	11	5	5	39		33		6
Edgar.....	44	12	74	21	151		132		19
Vermilion.....	690	121	164	152	1,127	10	328		799
TOTAL FOR CIRCUIT.....	866	204	386	337	1,793	12	804		989

<b>SIXTH CIRCUIT</b>									
Champaign.....	311	103	334	209	957	3	838		119
DeWitt.....	37	9	108	60	214	9	281	67	
Douglas.....	24	20	2	25	71	7	53		18
Macon.....	271	70	77	495	913	5	1,175	262	
Moultrie.....	24	14		7	45		42		3
Piatt.....	20	6	7	8	41		36		5
<b>TOTAL FOR CIRCUIT.....</b>	<b>687</b>	<b>222</b>	<b>528</b>	<b>804</b>	<b>2,241</b>	<b>24</b>	<b>2,425</b>	<b>184</b>	
<b>SEVENTH CIRCUIT</b>									
Greene.....	32	18	49	12	111	1	95		16
Jersey.....	56	11		5	72		134	62	
Macoupin.....	66	37	10	38	151	2	78		73
Morgan.....	47	42	9	33	131	4	119		12
Sangamon.....	395	119	61	171	746	5	523		223
Scott.....	5	2	22	9	38		43	5	
<b>TOTAL FOR CIRCUIT.....</b>	<b>601</b>	<b>229</b>	<b>151</b>	<b>268</b>	<b>1,249</b>	<b>12</b>	<b>992</b>		<b>257</b>
<b>EIGHTH CIRCUIT</b>									
Adams.....	91	86	24	53	254		179		75
Brown.....	7	3	3		13		7		6
Calhoun.....	4	3		10	17		11		6
Cass.....	10	4	48	4	66		26		40
Mason.....	21		4	52	77		133	56	
Menard.....	4		2	7	13		12		1
Pike.....	38	19	21	14	92	3	84		8
Schuyler.....	12		7	1	20		73	53	
<b>TOTAL FOR CIRCUIT.....</b>	<b>187</b>	<b>115</b>	<b>109</b>	<b>141</b>	<b>552</b>	<b>3</b>	<b>525</b>		<b>27</b>
<b>NINTH CIRCUIT</b>									
Fulton.....	49	33	0	29	111		124	13	
Hancock.....	19	29	2	19	69		61		8
Henderson.....	4	4	12	10	30	1	26		4
Knox.....	112	125	28	56	321	5	327	6	
McDonough.....	26	25	380	20	451		518	67	
Warren.....	11	20		28	59	1	235	176	
<b>TOTAL FOR CIRCUIT.....</b>	<b>221</b>	<b>236</b>	<b>422</b>	<b>162</b>	<b>1,041</b>	<b>7</b>	<b>1,291</b>	<b>250</b>	

Table 6 (Continued)

County and Circuit	NUMBER OF CASES BEGUN OR REINSTATED DURING 1963					NO. OF CASES TERMINATED DURING 1963		GAIN OR LOSS IN CURRENCY DURING 1963	
	Families and Children	Mental Illness or deficiency	Taxes of any kind	Other Civil	Total	Number of Jury Verdicts	Total termina- tions	Gain	Loss
<b>TENTH CIRCUIT</b>									
Marshall.....	15	11	11	5	42	2	44	2	
Peoria.....	415	409	284	362	1,470		1,458		12
Putnam.....	2		3	5	10		10	0	0
Stark.....	3	8	27	3	41		40		1
Tazewell.....	95	116	143	156	510	3	277		233
<b>TOTAL FOR CIRCUIT.....</b>	<b>530</b>	<b>544</b>	<b>468</b>	<b>531</b>	<b>2,073</b>	<b>5</b>	<b>1,829</b>		<b>244</b>
<b>ELEVENTH CIRCUIT</b>									
Ford.....	15	7		38	60		63	3	
Livingston.....	64	52	1	25	142	2	102		40
Logan.....	51	19	54	6	130		77		53
McLean.....	237	75	237	83	632	18	726	94	
Woodford.....	43	16	41	31	131	1	69		62
<b>TOTAL FOR CIRCUIT.....</b>	<b>410</b>	<b>169</b>	<b>333</b>	<b>183</b>	<b>1,095</b>	<b>21</b>	<b>1,037</b>		<b>58</b>
<b>TWELFTH CIRCUIT</b>									
Iroquois.....	26	3	6	111	146	2	124		22
Kankakee.....	145	160	102	322	729	13	425		304
Will.....	227	104	2	352	685	10	562		123
<b>TOTAL FOR CIRCUIT.....</b>	<b>398</b>	<b>267</b>	<b>110</b>	<b>785</b>	<b>1,560</b>	<b>25</b>	<b>1,111</b>		<b>449</b>



THIRTEENTH CIRCUIT									
Bureau.....	41	29	14	46	130	5	131	1	
Grundy.....	25	16	254	23	318		304		14
LaSalle.....	184	33	224	153	594	18	568		26
TOTAL FOR CIRCUIT.....	250	78	492	222	1,042	23	1,003		39
FOURTEENTH CIRCUIT									
Henry.....	75	32	125	93	325	4	197		128
Mercer.....	16	10	9	15	50		49		1
Rock Island.....	529	287	863	218	1,897	14	1,460		437
Whiteside.....	132	36	6	17	191		147		44
TOTAL FOR CIRCUIT.....	752	365	1,003	343	2,463	18	1,853		610
FIFTEENTH CIRCUIT									
Carroll.....	30	20	67	2	119		67		52
JoDaviess.....	18	11	6	6	41		33		8
Lee.....	39	26	13	14	92		58		34
Ogle.....	53	39	19	21	132	1	122		10
Stephenson.....	98	39	181	20	338	1	255		83
TOTAL FOR CIRCUIT.....	238	135	286	63	722	2	535		187
SIXTEENTH CIRCUIT									
DeKalb.....	62	1		3	66		63		3
Kane.....	401	420	6	386	1,213	50	1,013		200
Kendall.....	32	9	9	16	66	1	55		11
TOTAL FOR CIRCUIT.....	495	430	15	405	1,345	51	1,131		214
SEVENTEENTH CIRCUIT									
Boone.....	63	4	5	17	89		71		18
Winnebago.....	534	368	1,790	150	2,842	17	2,231		611
TOTAL FOR CIRCUIT.....	597	372	1,795	167	2,931	17	2,302		629

EIGHTEENTH CIRCUIT								
DuPage.....	485	201	1,897	370	2,953	18	1,801	1,152
TOTAL FOR CIRCUIT.....	485	201	1,897	370	2,953	18	1,801	1,152
NINETEENTH CIRCUIT								
Lake.....	1,114	201	2,770	577	4,662	14	2,224	2,438
McHenry.....	132	35	2	195	364	12	260	104
TOTAL FOR CIRCUIT.....	1,246	236	2,772	772	5,026	26	2,484	2,542
TWENTIETH CIRCUIT								
Monroe.....	8	10	26	1	45		43	2
Perry.....	10	12	14	2	38	2	30	8
Randolph.....	25	20	15	10	70	1	44	26
St. Clair.....	360	185	330	220	1,095	10	783	312
Washington.....	19	11	56	39	125		110	15
TOTAL FOR CIRCUIT.....	422	238	441	272	1,373	13	1,010	363
TOTAL FOR COOK COUNTY.....								
TOTAL FOR DOWNSTATE	5,197	8,546	7,493	4,309	25,545	132	18,746	6,799
	9,738	5,233	12,731	7,054	34,756	322	26,341	8,415
TOTAL FOR STATE.....	14,935	13,779	20,224	11,363	60,301	454	45,087	15,214

Table 7

**THE AGE OF CIVIL CASES (NOT INCLUDING PROBATE)  
PENDING ON DECEMBER 31, 1963 IN THE COUNTY COURTS**

County and Circuit	Number of Cases					Total over 6 mos. of age
	Under 6 mos. of age	6-12 mos. of age	1-2 years of age	2-3 years of age	Over 3 years of age	
<b>Cook County</b> .....	4,620	5,756	6,229	4,909	3,931	20,825
<b>First Circuit</b>						
Alexander .....	10	21	4	0	0	25
Jackson .....	47	93	45	7	0	145
Johnson .....	1	0	0	0	18	18
Massac .....	52	41	1	0	0	42
Pope .....	0	1	0	0	0	1
Pulaski .....	31	40	64	61	131	296
Saline .....	38	36	66	39	34	175
Union .....	2	5	0	0	0	5
Williamson .....	34	112	0	0	0	112
<b>Total for Circuit</b> .....	215	349	180	107	183	819
<b>Second Circuit</b>						
Crawford .....	0	2	0	0	0	2
Edwards .....	0	24	0	0	0	24
Franklin .....	68	52	0	0	0	52
Gallatin .....	7	5	23	0	0	28
Hamilton .....	0	0	0	0	0	0
Hardin .....	3	0	0	3	3	6
Jefferson .....	33	104	33	44	119	300
Lawrence .....	0	0	0	0	45	45
Richland .....	25	31	28	41	40	140
Wabash .....	11	61	0	0	0	61
Wayne .....	78	0	0	0	0	0
White .....	17	5	1	6	15	27
<b>Total for Circuit</b> .....	242	284	85	94	222	685
<b>Third Circuit</b>						
Bond .....	6	12	13	5	19	49
Madison .....	319	132	160	89	187	568
<b>Total for Circuit</b> .....	325	144	173	94	206	617
<b>Fourth Circuit</b>						
Christian .....	106	70	34	19	4	127
Clay .....	0	76	0	0	0	76
Clinton .....	106	0	2	2	1	5
Effingham .....	10	9	2	1	0	12
Fayette .....	60	33	31	16	143	223
Jasper .....	12	6	9	4	1	20
Marion .....	12	14	20	0	0	34
Montgomery .....	30	5	5	4	9	23
Shelby .....	10	2	0	0	0	2
<b>Total for Circuit</b> .....	346	215	103	46	158	522
<b>Fifth Circuit</b>						
Clark .....	1	1	1	1	1	4
Coles .....	92	54	0	0	0	54



**Table 7 (Continued)**

County and Circuit	Number of Cases				Over 3 years of age	Total over 6 mos. of age
	Under 6 mos. of age	6-12 mos. of age	1-2 years of age	2-3 years of age		
Cumberland .....	26	13	0	0	0	13
Edgar .....	77	4	0	0	0	4
Vermilion .....	455	430	148	155	88	821
Total for Circuit .....	651	502	149	156	89	896
<b>Sixth Circuit</b>						
Champaign .....	349	64	188	374	267	893
DeWitt .....	1	0	0	0	0	0
Douglas .....	8	13	4	1	0	18
Macon .....	83	165	174	73	185	597
Moultrie .....	0	3	0	0	0	3
Piatt .....	1	2	0	0	0	2
Total for Circuit .....	442	247	366	448	452	1,513
<b>Seventh Circuit</b>						
Greene .....	19	9	13	7	28	57
Jersey .....	14	13	25	6	49	93
Macoupin .....	3	14	13	10	7	44
Morgan .....	33	21	48	48	48	165
Sangamon .....	157	66	86	41	14	207
Scott .....	4	1	4	1	5	11
Total for Circuit .....	230	124	189	113	151	577
<b>Eighth Circuit</b>						
Adams .....	21	45	54	63	91	253
Brown .....	0	0	0	0	0	0
Calhoun .....	0	0	0	0	7	7
Cass .....	8	0	0	0	0	0
Mason .....	20	10	22	42	119	193
Menard .....	1	0	0	0	0	0
Pike .....	8	0	0	0	0	0
Schuyler .....	5	0	2	2	13	17
Total for Circuit .....	63	55	78	107	230	470
<b>Ninth Circuit</b>						
Fulton .....	16	14	17	2	7	40
Hancock .....	8	4	11	8	22	45
Henderson .....	4	3	0	0	0	3
Knox .....	24	11	15	15	20	61
McDonough .....	128	86	41	43	146	316
Warren .....	1	1	0	0	0	1
Total for Circuit .....	181	119	84	68	195	466
<b>Tenth Circuit</b>						
Marshall .....	7	7	1	7	15	30
Peoria .....	121	19	11	11	25	66
Putnam .....	7	1	1	2	0	4
Stark .....	5	4	4	1	5	14
Tazewell .....	256	166	85	100	26	377
Total for Circuit .....	396	197	102	121	71	491

**Table 7 (Continued)**

County and Circuit	Number of Cases					Total over 6 mos. of age
	Under 6 mos. of age	6-12 mos. of age	1-2 years of age	2-3 years of age	Over 3 years of age	
<b>Eleventh Circuit</b>						
Ford .....	8	7	4	2	8	21
Livingston .....	44	14	26	15	44	99
Logan .....	30	23	0	0	0	23
McLean .....	117	25	37	7	6	75
Woodford .....	35	5	4	5	4	18
Total for Circuit.....	234	74	71	29	62	236
<b>Twelfth Circuit</b>						
Iroquois .....	7	8	3	3	1	15
Kankakee .....	Not Available					
Will .....	211	68	154	103	25	350
Total for Circuit .....	218	76	157	106	26	365
<b>Thirteenth Circuit</b>						
Bureau .....	14	4	3	2	0	9
Grundy .....	11	4	1	1	2	8
La Salle .....	143	44	76	15	20	155
Total for Circuit.....	168	52	80	18	22	172
<b>Fourteenth Circuit</b>						
Henry .....	75	82	95	42	67	286
Mercer .....	3	4	4	0	28	36
Rock Island .....	344	100	127	30	0	257
Whiteside .....	25	17	2	0	0	19
Total for Circuit.....	447	203	228	72	95	598
<b>Fifteenth Circuit</b>						
Carroll .....	1	48	0	0	0	48
Jo Daviess .....	5	3	0	0	0	3
Lee .....	28	12	13	17	15	57
Ogle .....	21	23	0	0	0	23
Stephenson .....	106	39	43	17	9	108
Total for Circuit.....	161	125	56	34	24	239
<b>Sixteenth Circuit</b>						
DeKalb .....	20	25	30	38	215	308
Kane .....	450	405	611	468	221	1,705
Kendall .....	17	14	10	9	19	52
Total for Circuit.....	487	444	651	515	455	2,065
<b>Seventeenth Circuit</b>						
Boone .....	8	5	5	0	0	10
Winnebago .....	236	990	200	10	0	1,200
Total for Circuit.....	244	995	205	10	0	1,210
<b>Eighteenth Circuit</b>						
DuPage .....	594	517	424	301	199	1,441
Total for Circuit .....	594	517	424	301	199	1,441

**Table 7 (Continued)**

County and Circuit	Number of Cases				Over 3 years of age	Total over 6 mos. of age
	Under 6 mos. of age	6-12 mos. of age	1-2 years of age	2-3 years of age		
<b>Nineteenth Circuit</b>						
Lake .....	401	229	297	211	499	1,236
McHenry .....	28	45	19	8	258	330
Total for Circuit.....	429	274	316	219	757	1,566
<b>Twentieth Circuit</b>						
Monroe .....	0	1	3	3	12	19
Perry .....	9	3	1	0	0	4
Randolph .....	12	14	0	0	0	14
St. Clair .....	139	66	92	15	0	173
Washington .....	11	4	0	0	0	4
Total for Circuit.....	171	88	96	18	12	214
Total for Cook County..	4,620	5,756	6,229	4,909	3,931	20,825
Total for Downstate.....	6,244	5,084	3,793	2,676	3,609	15,162
Total for State.....	10,864	10,840	10,022	7,585	7,540	35,987



## **PROBATE PROCEEDINGS IN THE COUNTY AND PROBATE COURTS DURING 1963**

In downstate Illinois the total number of probate cases begun during 1963 ranged from 17 cases each in Hardin and Pope Counties to 808 cases in St. Clair County. Fourteen counties each had less than 50 probate cases begun during 1963. The number of proceedings involving estates of decedents begun during 1963 ranged from 13 cases each in Johnson and Hardin Counties to 636 cases in St. Clair County. The number of proceedings involving guardianships ranged from none in Edwards County to 170 in Winnebago County. The number of conservatorships ranged from none in Putnam County to 108 in Winnebago County.

The number of probate cases terminated in downstate Illinois ranged from none in Perry County to 942 in Hancock County. In Hancock County 794 cases were stricken with leave to reinstate during 1963. Twenty-two counties each had less than 50 probate cases terminated during 1963.

The vast majority of the probate cases involved estates of decedents.

**Table 8**  
**PROBATE PROCEEDINGS IN THE COUNTY AND**  
**PROBATE COURTS DURING 1963**

County and Circuit	NUMBER OF CASES BEGUN IN 1963					No. of Cases Terminated in 1963
	Estates of Decedents	Guardian- ships	Conserva- torships	Other Probate	Total	
<b>Cook County</b> .....	8,405	2,616	1,063		12,084	9,096
<b>First Circuit</b>						
Alexander .....	37	8	8		53	3
Jackson .....	90	21	9	46	166	104
Johnson .....	13	4	2		19	3
Massac .....	32	8	11		51	62
Pope .....	14	2	1		17	13
Pulaski .....	28	4	3	3	38	29
Saline .....	66	14	7		87	47
Union .....	25	6	6		37	47
Williamson .....	152	21	22		195	90
<b>Total for Circuit</b> .....	457	88	69	49	663	398
<b>Second Circuit</b>						
Crawford .....	103	5	12		120	132
Edwards .....	41	0	7		48	20
Franklin .....	94	21	16		131	104
Gallatin .....	27	3	7		37	24
Hamilton .....	30	6	6		42	141
Hardin .....	13	1	3		17	11
Jefferson .....	99	16	9		124	87
Lawrence .....	72	3	8	8	91	9
Richland .....	48	7	6	12	73	120
Wabash .....	45	4	4		53	9
Wayne .....	42	8	16	17	83	250
White .....	79	9	16		104	76
<b>Total for Circuit</b> .....	693	83	110	37	923	983
<b>Third Circuit</b>						
Bond .....	49	5	8		62	56
Madison .....	436	90	71		597	355
<b>Total for Circuit</b> .....	485	95	79		659	411
<b>Fourth Circuit</b>						
Christian .....	224	16	22		262	167
Clay .....	62	6	20		88	60
Clinton .....	82	5	2		89	77
Effingham .....	118	11	19		148	99
Fayette .....	94	10	13		117	66
Jasper .....	42	2	3		47	34
Marion .....	145	30	20		195	9
Montgomery .....	184	6	20	7	217	16
Shelby .....	124	9	13	10	156	137
<b>Total for Circuit</b> .....	1,075	95	132	17	1,319	665

Table 8 (Continued)

County and Circuit	NUMBER OF CASES BEGUN IN 1963				Total	No. of Cases Terminated in 1963
	Estates of Decedents	Guardianships	Conservatorships	Other Probate		
<b>Fifth Circuit</b>						
Clark .....	69	8	8		85	87
Coles .....	158	16	17	89	280	212
Cumberland .....	48	3	7		58	51
Edgar .....	139	5	12		156	162
Vermilion .....	274	47	52		373	324
Total for Circuit.....	688	79	96	89	952	836
<b>Sixth Circuit</b>						
Champaign .....	376	39	42		457	393
DeWitt .....	114	16	12	50	192	307
Douglas .....	105	8	17	22	152	121
Macon .....	314	32	40		386	374
Moultrie .....	62	3	10	1	76	80
Piatt .....	77	5	6	1	89	68
Total for Circuit.....	1,048	103	127	74	1,352	1,343
<b>Seventh Circuit</b>						
Greene .....	97	7	10		114	74
Jersey .....	58	5	6	3	72	325
Macoupin .....	221	83	83		387	240
Morgan .....	150	9	20	97	276	282
Sangamon .....	621	56	53	0	730	457
Scott .....	39	4	5		48	30
Total for Circuit.....	1,186	164	177	100	1,627	1,408
<b>Eighth Circuit</b>						
Adams .....	292	29	36	14	371	Not Available
Brown .....	28	1	1		30	20
Calhoun .....	25	2	3		30	12
Cass .....	51	3	8	11	73	62
Mason .....	69	4	8		81	95
Menard .....	49	2	4		55	57
Pike .....	82	7	15		104	88
Schuyler .....	26	1	5		32	257
Total for Circuit.....	622	49	80	25	776	591
<b>Ninth Circuit</b>						
Fulton .....	309	20	25		354	318
Hancock .....	119	9	19		147	942
Henderson .....	45	7	1		53	311
Knox .....	245	18	47		310	257
McDonough .....	162	9	16		187	399
Warren .....	123	6	9		138	618
Total for Circuit.....	1,003	69	117		1,189	2,845
<b>Tenth Circuit</b>						
Marshall .....	71	6	4		81	109



**Table 8 (Continued)**

County and Circuit	NUMBER OF CASES BEGUN IN 1963					No. of Cases Terminated in 1963
	Estates of Decedents	Guardian- ships	Conserva- torships	Other Probate	Total	
Peoria .....	546	78	49		673	566
Putnam .....	23	2			25	18
Stark .....	55	1	1	1	58	41
Tazewell .....	226	39	14		279	146
Total for Circuit.....	921	126	68	1	1,116	880
<b>Eleventh Circuit</b>						
Ford .....	94	5	4		103	88
Livingston .....	282	16	14		312	134
Logan .....	134	14	9		157	67
McLean .....	310	24	38	2	374	436
Woodford .....	113	12	14		139	5
Total for Circuit.....	933	71	79	2	1,085	730
<b>Twelfth Circuit</b>						
Iroquois .....	125	14	8	24	171	166
Kankakee .....	238	44	35		317	243
Will .....	375	41	27		443	319
Total for Circuit.....	738	99	70	24	931	728
<b>Thirteenth Circuit</b>						
Bureau .....	189	11	8		208	270
Grundy .....	81	6	4		91	100
La Salle .....	375	43	36		454	436
Total for Circuit.....	645	60	48		753	806
<b>Fourteenth Circuit</b>						
Henry .....	239	22	19	98	378	270
Mercer .....	82	6	4	59	151	128
Rock Island .....	482	75	51	14	622	545
Whiteside .....	306	35	23		364	208
Total for Circuit.....	1,109	138	97	171	1,515	1,151
<b>Fifteenth Circuit</b>						
Carroll .....	113	7	6		126	96
Jo Daviess .....	116	9	7		132	118
Lee .....	119	14	19		152	134
Ogle .....	143	14	20	6	183	168
Stephenson .....	204	21	25	14	264	213
Total for Circuit.....	695	65	77	20	857	729
<b>Sixteenth Circuit</b>						
DeKalb .....	234	19	15		268	252
Kane .....	552	89	42		683	556
Kendall .....	52	9	5	7	73	41
Total for Circuit.....	838	117	62	7	1,024	849

**Table 8 (Continued)**

County and Circuit	NUMBER OF CASES BEGUN IN 1963					No. of Cases Terminated in 1963
	Estates of Decedents	Guardian- ships	Conserva- torships	Other Probate	Total	
<b>Seventeenth Circuit</b>						
Boone .....	63	7	13	9	92	66
Winnebago .....	466	170	108		744	227
Total for Circuit.....	529	177	121	9	836	293
<b>Eighteenth Circuit</b>						
DuPage .....	424	155	56		635	358
Total for Circuit.....	424	155	56		635	358
<b>Nineteenth Circuit</b>						
Lake .....	466	119	50		635	607
McHenry .....	294	48	33	28	403	205
Total for Circuit.....	760	167	83	28	1,038	812
<b>Twentieth Circuit</b>						
Monroe .....	80	6	3		89	62
Perry .....	44	5	4	2	55	0
Randolph .....	129	12	20		161	90
St. Clair .....	636	82	90		808	639
Washington .....	59	11	6		76	68
Total for Circuit.....	948	116	123	2	1,189	859
Total for Cook County...	8,405	2,616	1,063		12,084	9,096
Total for Downstate....	15,797	2,116	1,871	655	20,439	17,675
Total for State.....	24,202	4,732	2,934	655	32,523	26,771

## THE TREND OF CRIMINAL CASES IN THE COUNTY COURTS DURING 1963

From January 1, 1963, to December 31, 1963, the number of criminal cases pending in the county courts in Illinois increased by 10% from 11,075 to 12,170. There was a slight gain in currency in Cook County, but an over-all 18% loss in currency downstate. Cook County had 2958 criminal cases begun or reinstated during 1963 and the downstate 101 counties had 12,583 cases begun or reinstated.<sup>1</sup> The comparable figures for 1962 were 2143 for Cook County and 12,558 downstate. Downstate counties with high numbers of criminal cases begun or reinstated were: Vermilion, 1168 cases; St. Clair, 1090 cases; and Winnebago, 789 cases. Cook County had 2980 criminal cases disposed of during 1963, and the downstate 101 counties had 11,466 criminal cases disposed of. Thirty-eight of the 102 counties each disposed of less than 50 criminal cases during 1963. The average number of cases disposed of per downstate county was 114.

Counties with a high number of criminal cases pending on December 31, 1963, were: Cook, 4691 cases; Kane, 510 cases; Vermilion, 444 cases; St. Clair, 432 cases; DuPage, 329 cases; Winnebago, 322 cases; Union, 281 cases; Lake, 271 cases; and Madison, 255 cases.

---

<sup>1</sup> Some of the types of criminal cases heard in the county courts downstate were heard in the Municipal Court of Chicago rather than the County Court of Cook County. Only figures from the latter are shown here.



Table 9

**THE TREND OF CRIMINAL CASES IN THE  
COUNTY COURTS DURING 1963**

County and Circuit	No. of Cases Pending on Jan. 1, 1963	No. of Cases Begun or Reinstated in 1963	No. of Cases Disposed of in 1963	No. of Cases Pending on Dec. 31, 1963
<b>Cook County</b> .....	4,713	2,958	2,980	4,691
<b>First Circuit</b>				
Alexander .....	5	147	101	51
Jackson .....	50	152	136	66
Johnson .....	0	0	0	0
Massac .....	20	101	109	12
Pope .....	8	3	0	11
Pulaski .....	69	75	63	81
Saline .....	199	196	221	174
Union .....	262	33	14	281
Williamson .....	124	291	297	118
<b>Total for Circuit</b> .....	737	998	941	794
<b>Second Circuit</b>				
Crawford .....	23	118	97	44
Edwards .....	0	0	0	0
Franklin .....	41	125	129	37
Gallatin .....	145	150	162	133
Hamilton .....	83	138	145	76
Hardin .....	0	9	6	3
Jefferson .....	93	67	75	85
Lawrence .....	15	51	29	37
Richland .....	13	50	36	27
Wabash .....	57	105	87	75
Wayne .....	103	71	141	33
White .....	93	100	162	31
<b>Total for Circuit</b> .....	666	984	1,069	581
<b>Third Circuit</b>				
Bond .....	45	91	73	63
Madison .....	242	204	191	255
<b>Total for Circuit</b> .....	287	295	264	318
<b>Fourth Circuit</b>				
Christian .....	90	327	243	174
Clay .....	23	114	71	66
Clinton .....	0	45	38	7
Effingham .....	67	94	136	25
Fayette .....	51	27	14	64
Jasper .....	21	23	17	27
Marion .....	23	106	45	84
Montgomery .....	2	20	18	4
Shelby .....	7	45	52	0
<b>Total for Circuit</b> .....	284	801	634	451

**Table 9 (Continued)**

County and Circuit	No. of Cases Pending on Jan. 1, 1963	No. of Cases Begun or Reinstated in 1963	No. of Cases Disposed of in 1963	No. of Cases Pending on Dec. 31, 1963
<b>Fifth Circuit</b>				
Clark .....	0	49	48	1
Coles .....	5	88	55	38
Cumberland .....	6	38	40	4
Edgar .....	18	57	55	20
Vermilion .....	222	1,168	946	444
Total for Circuit.....	251	1,400	1,144	507
<b>Sixth Circuit</b>				
Champaign .....	361	322	476	207
DeWitt .....	24	132	107	49
Douglas .....	34	54	29	59
Macon .....	106	200	190	116
Moultrie .....	13	32	29	16
Piatt .....	10	15	11	14
Total for Circuit.....	548	755	842	461
<b>Seventh Circuit</b>				
Greene .....	25	95	67	53
Jersey .....	32	19	33	18
Macoupin .....	0	119	70	49
Morgan .....	18	38	34	22
Sangamon .....	103	240	203	140
Scott .....	19	22	36	5
Total for Circuit.....	197	533	443	287
<b>Eighth Circuit</b>				
Adams .....	31	192	154	69
Brown .....	0	21	19	2
Calhoun .....	0	25	20	5
Cass .....	2	53	51	4
Mason .....	138	63	35	166
Menard .....	1	20	16	5
Pike .....	52	69	97	24
Schuyler .....	69	22	86	5
Total for Circuit.....	293	465	478	280
<b>Ninth Circuit</b>				
Fulton .....	119	39	127	31
Hancock .....	58	75	67	66
Henderson .....	2	45	47	0
Knox .....	118	323	283	158
McDonough .....	79	62	67	74
Warren .....	60	66	83	43
Total for Circuit.....	436	610	674	372

**Table 9 (Continued)**

County and Circuit	No. of Cases Pending on Jan. 1, 1963	No. of Cases Begun or Reinstated in 1963	No. of Cases Disposed of in 1963	No. of Cases Pending on Dec. 31, 1963
<b>Tenth Circuit</b>				
Marshall .....	7	19	22	4
Peoria .....	56	58	57	57
Putnam .....	0	3	3	0
Stark .....	0	10	9	1
Tazewell .....	114	75	69	120
Total for Circuit.....	177	165	160	182
<b>Eleventh Circuit</b>				
Ford .....	15	33	34	14
Livingston .....	113	135	211	37
Logan .....	11	63	46	23
McLean .....	35	175	160	50
Woodford .....	18	71	67	22
Total for Circuit.....	192	477	518	151
<b>Twelfth Circuit</b>				
Iroquois .....	11	111	108	14
Kankakee .....	27	148	99	76
Will .....	144	248	228	164
Total for Circuit.....	182	507	435	254
<b>Thirteenth Circuit</b>				
Bureau .....	6	98	86	18
Grundy .....	7	15	22	0
La Salle .....	52	113	71	94
Total for Circuit.....	65	226	179	112
<b>Fourteenth Circuit</b>				
Henry .....	63	121	110	74
Mercer .....	44	123	140	32
Rock Island .....	145	295	248	192
Whiteside .....	34	208	206	36
Total for Circuit.....	286	752	704	334
<b>Fifteenth Circuit</b>				
Carroll .....	8	66	48	26
Jo Daviess .....	0	27	22	5
Lee .....	23	70	89	4
Ogle .....	62	205	241	26
Stephenson .....	9	93	94	8
Total for Circuit.....	102	461	494	69
<b>Sixteenth Circuit</b>				
DeKalb .....	248	85	98	235
Kane .....	411	215	116	510



Table 9 (Continued)

County and Circuit	No. of Cases Pending on Jan. 1, 1963	No. of Cases Begun or Reinstated in 1963	No. of Cases Disposed of in 1963	No. of Cases Pending on Dec. 31, 1963
Kendall .....	20	36	42	14
Total for Circuit .....	679	336	256	759
<b>Seventeenth Circuit</b>				
Boone .....	7	39	38	8
Winnebago .....	125	789	592	322
Total for Circuit.....	132	828	630	330
<b>Eighteenth Circuit</b>				
DuPage .....	281	323	275	329
Total for Circuit.....	281	323	275	329
<b>Nineteenth Circuit</b>				
Lake .....	71	246	46	271
McHenry .....	109	110	107	112
Total for Circuit.....	180	356	153	383
<b>Twentieth Circuit</b>				
Monroe .....	36	1	36	1
Perry .....	31	34	34	31
Randolph .....	20	130	115	35
St. Clair .....	282	1,090	940	432
Washington .....	18	56	48	26
Total for Circuit .....	387	1,311	1,173	525
Total for Cook County...	4,713	2,958	2,980	4,691
Total for Downstate....	6,362	12,583	11,466	7,479
Total for State.....	11,075	15,541	14,446	12,170

### **CITY, TOWN AND VILLAGE COURTS OUTSIDE OF COOK COUNTY**

The reports from 27 downstate city and village judges show that the judges spent, on the average, 77 days, or about 1/3 of the court days of the year, in Cook County courts. Six of the 27 judges each spent 200 days or more, or essentially full time, in the Cook County courts. The 27 judges also spent an average of 16 days as visiting judge in downstate courts. Most of the downstate city courts were essentially domestic relation courts since 62% of the 3096 cases filed and 65% of the 3283 cases disposed of during 1963 were divorce or separate maintenance actions.

During 1963 the downstate city courts had a combined gain in currency of 946 cases attributable primarily to an increase in the number of cases disposed of during 1963. There was a total of 81 jury verdicts, most of which were returned in the City Courts of Alton, Granite City, Aurora, and East St. Louis.

Table 10

**PROCEEDINGS IN THE CITY, TOWN OR VILLAGE COURTS  
OUTSIDE OF COOK COUNTY DURING 1963**

104

CITY, TOWN OR VILLAGE COURT	Civil and Criminal Cases Pending Jan. 1, 1963	Common Law Suits Filed in 1963	Common Law Suits Disposed of in 1963	Divorce and Separate Maintenance Suits Filed in 1963	Divorce and Separate Maintenance Suits Disposed of in 1963	Appeals From J.P.'s Filed	J.P. Appeals Disposed Of	Other Civil Cases Filed	Other Civil Cases Disposed Of	Uncontested Dispositions	Jury Verdict Dispositions	Non-jury Contested Dispositions	Criminal Cases Filed	Criminal Cases Disposed Of	Civil and Criminal Cases Pending December 31, 1963	No. Days Spent in Cook County Courts As Visiting Judge	No. Days Spent As Visiting Judge Outside of Cook County
<b>FIRST CIRCUIT</b>																	
Carbondale.....	7	3	3	48	48	0	0	2	2	0	0	62	0	0	0	0	6
Eldorado.....	9	0	0	11	12	0	0	0	0	0	1	0	1	1	8	4	25
Harrisburg.....	0	0	0	52	44	1	0	0	0	0	0	0	0	0	12	69	60
Herrin.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	72	6
Johnston City.....	1	0	1	1	1	0	0	0	0	2	0	0	0	0	0	0	24
Marion.....	11	0	0	0	0	1	1	0	0	0	0	0	0	0	11	72	25
<b>TOTAL.....</b>	<b>28</b>	<b>3</b>	<b>4</b>	<b>112</b>	<b>105</b>	<b>2</b>	<b>1</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>62</b>	<b>1</b>	<b>1</b>	<b>31</b>	<b>217</b>	<b>146</b>
<b>SECOND CIRCUIT</b>																	
Benton.....	0	0	0	7	7	0	0	0	0	0	0	0	0	0	0	115	48
West Frankfort.....	7	1	1	12	10	2	1	0	0	1	0	0	0	0	8	126	35
<b>TOTAL.....</b>	<b>7</b>	<b>1</b>	<b>1</b>	<b>19</b>	<b>17</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>8</b>	<b>241</b>	<b>83</b>
<b>THIRD CIRCUIT</b>																	
Alton.....	160	157	161	72	101	3	8	20	18	138	16	134	0	0	124	0	43
Granite City.....	114	74	66	227	171	0	0	34	21	44	14	8	0	0	191	0	0
<b>TOTAL.....</b>	<b>274</b>	<b>231</b>	<b>227</b>	<b>299</b>	<b>272</b>	<b>3</b>	<b>8</b>	<b>54</b>	<b>39</b>	<b>182</b>	<b>30</b>	<b>142</b>	<b>0</b>	<b>0</b>	<b>315</b>	<b>0</b>	<b>43</b>



Table 10 (Continued)

CITY, TOWN OR VILLAGE COURT	Civil and Criminal Cases Pending Jan. 1, 1963	Common Law Suits Filed in 1963	Common Law Suits Disposed of in 1963	Divorce and Separate Maintenance Suits Filed in 1963	Divorce and Separate Maintenance Suits Disposed of in 1963	Appeals From J.P.'s Filed	J.P. Appeals Disposed Of	Other Civil Cases Filed	Other Civil Cases Disposed Of	Uncontested Dispositions	Jury Verdict Dispositions	Non-jury Contested Dispositions	Criminal Cases Filed	Criminal Cases Disposed Of	Civil and Criminal Cases Pending December 31, 1963	No. Days Spent in Cook County Courts As Visiting Judge	No. Days Spent As Visiting Judge Outside of Cook County
<b>FOURTH CIRCUIT.....</b>																	
Litchfield.....	5	0	0	62	54	1	0	5	5	5	0	0	0	0	14	0	0
Pana.....	4	3	3	84	82	0	0	4	4	4	1	3	0	0	4	180	0
<b>TOTAL.....</b>	<b>9</b>	<b>3</b>	<b>3</b>	<b>146</b>	<b>136</b>	<b>1</b>	<b>0</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>1</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>18</b>	<b>180</b>	<b>0</b>
<b>FIFTH CIRCUIT</b>																	
Mattoon.....	129	20	14	96	100	0	0	4	4	10	2	5	0	0	125	225	63
<b>EIGHTH CIRCUIT</b>																	
Beardstown.....	4	2	1	17	16	0	0	0	0	0	1	5	28	28	3	0	13
<b>NINTH CIRCUIT</b>																	
Canton.....	0	0	0	58	49	0	0	8	100	100	0	0	0	0	49	App. 225	0
<b>13th CIRCUIT</b>																	
Spring Valley.....	0	0	0	7	7	0	0	0	0	0	0	0	0	0	0	212	3

## 14th CIRCUIT

Kewanee.....	20	1	1	45	38	1	0	2	1	0	0	0	0	0	18	272	0
Moline.....	96	12	12	217	153	0	4	17	17	55	0	27	1	2	91	0	20
Sterling.....	77	6	5	70	65	4	8	86	147	65	0	82	0	0	18	App. 210	0

TOTAL.....	193	19	18	332	256	5	12	105	165	120	0	109	1	2	127	482	20
------------	-----	----	----	-----	-----	---	----	-----	-----	-----	---	-----	---	---	-----	-----	----

## 16th CIRCUIT

Aurora <sup>1</sup> .....	152	89	73	224	354	13	6	23	0	0	10	0	0	0	145	200	2
Carpentersville.....	0	31	29	18	15	1	1	0	0	0	0	0	6	5	56	0	0
DeKalb.....	0	0	0	13	13	0	0	0	0	0	0	0	0	0	0	0	0
Elgin.....	0	40	18	78	52	1	0	50	47	0	1	0	0	0	51	0	5

TOTAL.....	152	160	120	333	434	15	7	73	47	0	11	0	6	5	252	200	7
------------	-----	-----	-----	-----	-----	----	---	----	----	---	----	---	---	---	-----	-----	---

## 19th CIRCUIT

Zion.....	19	0	1	33	42	0	0	0	3	10	0	36	0	0	6	98	43
-----------	----	---	---	----	----	---	---	---	---	----	---	----	---	---	---	----	----

## 20th CIRCUIT

DuQuoin.....	20		4	5	5		1			10				1	5		
East St. Louis <sup>1</sup> .....	1,800	396	315	467	688	6	0	12	12	0	35	125	0	0	750	0	0

TOTAL.....	1,820	396	319	472	693	6	1	12	12	10	35	125	0	1	755	0	0
------------	-------	-----	-----	-----	-----	---	---	----	----	----	----	-----	---	---	-----	---	---

DOWNSTATE TOTAL..	2,635	835	708	1,924	2,127	34	30	267	381	444	81	487	36	37	1,689	2,080	421
-------------------	-------	-----	-----	-------	-------	----	----	-----	-----	-----	----	-----	----	----	-------	-------	-----

<sup>1</sup> A Two-Judge Court.

## ASSIGNMENT OF JUDGES — 1963

The assignment of judges to serve in jurisdictions other than their own was extensive during the year 1963. A total of 109 judges were assigned—55 to Cook County and 54 were assigned Downstate. In 1963, for the first time, a substantial number of county judges from Downstate served on assignment in the various courts of Cook County. The following table shows the distributions of these assignments for Downstate and for Cook County.

Cook County .....	55	
Downstate .....	54	
	<hr/>	109
Circuit Judges to Cook County.....	6	
County Judges to Cook County.....	18	
City, Municipal, etc. to Cook County...	31	
	<hr/>	55
Circuit Judges Downstate .....	14	
County Judges Downstate .....	29	
City, Municipal, etc.—Downstate .....	11	
	<hr/>	54
		109

It has been difficult to obtain accurate figures on the actual time judges have served on assignment. Some served only, and this applies particularly to Downstate, to preside in one case. The periods in which Downstate judges served on assignment in the various courts of Cook County were substantial, often covering for some of the judges several weeks. Most of the assigned judges were county and city judges. Some of the Downstate judges served in Cook County courts and in the Municipal Court of Chicago during a substantial part of the 1963 calendar year.

## COMMENTS ON SOME SUPREME COURT RULES

### (Voir Dire, Pattern Jury Instructions and Impartial Medical Experts)

The functional operations of Rules enacted by the Supreme Court in recent years relating to *Voir Dire Examination of Jurors*, *Pattern Jury Instructions* and the appointment of *Impartial Medical Expert Witnesses*, have been under observation and appraisal for some time by judges and lawyers. There have been comments on



these Rules in previous reports of the Court Administrator. Experiences with them during 1963 have brought further insight into their potentialities.

*Voir Dire Examination of Jurors* (Rule 24-1). This Rule provides that "the judge shall initiate the voir dire examination of jurors in civil and criminal cases by identifying the parties and their respective counsel." It directs that he shall briefly outline the nature of the case, and shall put questions to the jurors touching their qualifications to serve as jurors in the case on trial.

The judges over the State are highly in favor of this Rule. Practices vary among them in the enforcement of the Rule. Some enforce it strictly and others leniently. It is estimated that on the average jury selection time has been reduced by one-half under this Rule. There is evidence that lawyers, who were at first doubtful about the Rule, are increasingly in favor of it.

*Pattern Jury Instructions in Civil Cases* (Rule 25-1). The development of Pattern Jury Instructions in civil cases has been near phenomenal. One Illinois circuit judge commented: The Pattern Jury Instructions are the "best thing done in this respect in 50 years of my experience." They expedite trials; they add clarity to the instructions with resultant benefits to the jurors; and they have greatly reduced the number of reversals in higher courts. The Illinois Instructions have become a model for similar measures in other states (See statement by Gerald C. Snyder, Chairman of the Supreme Court Committee, 1963 Annual Rep., Ill. J. Conf., p. 107). On February 23, 1963, the Supreme Court reactivated the Committee, again under the chairmanship of Mr. Gerald C. Snyder, with the assignment of drafting pattern jury instructions in new areas, namely, Eminent Domain, Scaffolding Act, Contracts, Fraud, Wills, Libel, Slander, Privacy, Malicious Interference with Business, Products Liability, and Unfair Competition. The Committee is now hard at work on these assignments.

*Pattern Jury Instructions in Criminal Cases.* Early in 1961 the Illinois Supreme Court appointed a committee to work on *Pattern Jury Instructions in Criminal Cases*, and named Mr. Prentice H. Marshall of Chicago, Chairman of the Committee. In April, 1963, the Committee was reconstituted as a Joint Committee of the Supreme Court and the Illinois Judicial Conference. This

committee has been laboring on this important assignment constantly since its appointment (See statement by Prentice H. Marshall, Chairman of the Committee, 1963 Annual Rep., Ill. J. Conf., p. 136). The task of the Committee is now nearing completion. It plans to submit its report to the Supreme Court late in 1964.

*Impartial Medical Experts* (Rule 17-2). In previous reports of the Court Administrator mention was made of the opposition in Illinois to the Impartial Medical Experts' Rule. This opposition, coming for the most part from attorneys, continued during 1963. The Rule has been in operation for some time in the federal courts. In 1962 Judge Miner (Judge Miner, now deceased, was then a judge of the U.S. District Court) emphasized the fact that impartial medical testimony expedites pretrial hearings and that it searches out the truth. "Impartial medical testimony", said he:

"helps speed up pretrial hearings. It elevates the position and level of the dependability of medical testimony. It searches out the truth and renders a more accurate concept of disability, damages and the extent of the injury \* \* \*. We are interested primarily in truth and justice, and the traditional form of ritual must yield to any improvements necessary to achieve that goal." (44 Chicago Bar Rec. 291, 295, 1963).

New York has adopted the Impartial Medical Experts' Rule. In a study covering a period of two years it was found in New York that impartial medical experts were called in 238 cases. Of these cases more than one-half were settled after pretrial or on agreement of the parties. In Illinois during 1963 impartial medical experts were named in only 13 cases, all in Cook County. Of these to date, one has been settled, and one was dismissed by agreement of the parties. In 1962 impartial medical experts were called in 8 cases, 6 of which were settled and 2 went to trial.

The Illinois Judicial Conference has a committee on Impartial Medical Testimony of which Judge Charles R. Barrett is the chairman. In reporting for the Committee in 1963, at the annual meeting of the Conference, Judge Barrett stated, while the Committee was not unanimous, it had agreed that the Rule should be kept in effect in Illinois. "Generally speaking", said he,



“there is agreement that the Rule should be used sparingly; that it should not be used where it is apparent that there is an honest difference of opinion between medical examiners in an area of medicine where an honest difference of opinion legitimately exists, but should be used where the court, either on its own thinking or by persuasion by either party feels that there is likely to be incompetent or dishonest medical testimony. Basically, application of the Rule should be the pretrial stage, but may be applied, as provided by the language of the Rule, during trial for compelling reasons.” (1963 Annual Rep., Ill. J. Conf., pp. 69, 73).

### **COURTHOUSES AND RELATED COURT FACILITIES**

The efficient administration of justice has many facets. One that is of the essence involves the physical surroundings in which justice is administered—the dignity and atmosphere of the courtroom, the adequacy of its physical facilities and adequacy of related court facilities. Here is an issue that affects, in varying degrees, the administration of justice in all parts of the State. Cook County has in progress the erection and equipment of a modern courthouse. The structure is a part of the Chicago Civic Center. It has been carefully planned and should be ready for occupancy in July 1965.

Over a period of several years the Illinois Judicial Conference has had a committee at work on this subject, which committee has reported its findings at the annual meetings of the Conference. These reports are published in the Annual Reports of the Judicial Conference. On February 4, 1963, the Supreme Court named a Committee, with Judge Daniel H. Dailey of the Fourth Circuit as Chairman, on Court Houses and Related Court Facilities in Downstate Illinois. This committee has made its report, the substance of which is published in the 1963 Annual Report of the Illinois Judicial Conference, page 79. The Secretary of the Committee was Professor Rubin G. Cohn of the University of Illinois. An excellent synopsis of the report of the committee was prepared by Professor Cohn. This statement is published at page 98 of the 1963 Report of the Judicial Conference. Professor Cohn's statement has the following summary:

“It is clear beyond any doubt that courtrooms



and related court facilities, as measured by acceptable minimum standards, are seriously deficient in most of the 101 counties *outside* of Cook County. x x x Several brief statistics in only a few of the more important areas will illustrate the nature of the problem. In 19 counties presently housing circuit, county and probate courts there are no judges' chambers. In 22 courtrooms the chambers are not adjacent to the courtroom. Fifty-four of the courtrooms, by the judges' own assessments, are "dingy". There is air-conditioning in 22 such court rooms, none in 122. Ventilation is deemed adequate in 70 rooms, inadequate in 71. Seventy-three courthouses have no separate quarters for grand juries; 52 lack toilet facilities for jurors. Forty-seven courtrooms have no facilities for lawyer-client settlement conferences. Forty-four lack a law library in the courthouse. Seventy-six clerks' offices are considered inadequate for the future. These are merely selected fragments. The entire picture demonstrates a range of deficiencies almost appalling in scope. x x x Courtrooms and related facilities, as a matter of principle, must be housed in dignified and adequate surroundings in harmony with the majesty of the law, and the awesome responsibilities vested in the judges. The administration of justice suffers irreparable harm in the public consciousness if conducted in facilities which outrage a decent sense of respect for the process of justice."

The General Assembly in its 1963 session made no changes on the agencies that must bear the financial burden for necessary judicial facilities. The respective counties have the primary responsibility for them. Some legislation bearing on this subject was enacted. Section 432 of Chapter 34 (Ill. Rev. Stats., 1963) was amended pursuant to S. B. 326, to read:

"It shall be the duty of the county board of each county x x x Sixth—To provide proper rooms and offices, and for the repair thereof, for the accommodation of the circuit court of the county and for the clerks of such court, and to provide suitable furnishings for such rooms and offices, and to furnish fireproof safes, and the repair thereof, for the offices of the clerks of the circuit court of the county. Courtrooms and furnishings thereof shall meet with

reasonable minimum standards prescribed by the Supreme Court of Illinois. Such standards shall be substantially the same as those generally accepted in courtrooms as to general furnishings, arrangement of the bench, tables and chairs, cleanliness, convenience to litigants, decorations, lighting and other such matters relating to the physical appearance of the courtroom."

Senate Bill 242 (C. 24, s. 11-62.1-1, Ill. Rev. Stats., 1963), enacted by the Seventy-Third General Assembly, authorizes any municipality to set aside and maintain space in its public buildings, or to maintain space in a privately owned building for courtroom and office use by the Circuit Court of the county in which the municipality is located. The statute states that the "appearance and furnishings of the courtrooms thus established shall meet reasonable minimum standards prescribed by the Supreme Court of Illinois." Senate Bill 343 (Ch. 139, s. 40.2, Ill. Rev. Stats., 1963) has a similar provision authorizing town electors to provide and maintain courtrooms and offices for the Circuit Court in buildings of a township.

The authority of the Illinois Public Building Commission was restricted, previous to July 29, 1963, in the improvement, repair and erection of public buildings to the areas of various county seats. Under S. B. 600 enacted by the Seventy-Third General Assembly (Ch. 34, s. 3314.2) "the powers of a Public Building Commission granted in Section 14 [Rev. Stats., s. 3314] may also be exercised in any municipal corporation not the county seat in the same manner, as near as may be, as provided in this Act."

Respectfully submitted  
*Albert J. Harno*  
Consultant

July 1, 1964



**REPORT OF JOHN W. FREELS,  
DEPUTY DIRECTOR FOR COOK COUNTY OF THE  
ADMINISTRATIVE OFFICE OF THE  
ILLINOIS COURTS**

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

It is my privilege to report herein to the Court on several matters concerning the status of the administration of justice in Cook County.

Because this report is coincident with the reorganization of the courts under the constitutional amendment adopted in 1962, some reference to the historical background may be of significance, especially in considering comparative reports in the future.

As I had no connection with the Administrative Office prior to November, 1963, the following comments will cover both my observations as a lawyer prior to my appointment and my experiences since.

For many years the bar of Illinois had been concerned with the various proposals to better court administration. This interest culminated in the extensive drive which resulted in the adoption of the so-called Blue Ballot in November, 1962. After the proposed amendment to Article VI of the Constitution had been adopted the general bar lapsed into the lethargy which often results from a successful termination of an organized drive. The bar in general was not cognizant of the multiplicity of problems involved or the tremendous amount of work which would be necessary to implement the amendment. I confess that I was one of the busy lawyers who apparently took it for granted that the amendment was self-implementing.

All members of the bar knew, of course, that committees, both of the Illinois Judicial Conference and of the several bar associations had been appointed and were at work. Few members of the bar, however, realized the extent of the dedication of those committee members or the monumental tasks which they had undertaken. It has been my privilege since my appointment in November, to confer with some of those committees and to study the outstanding work accomplished by others. I am sure that if the members of the bar generally, had any understanding either of the time, effort and work required or



of the accomplishments attained, they would realize what a very real debt of gratitude they owe to these dedicated men.

Though my appointment was not effective until January 1, 1964, circumstances permitted me to devote practically all my time during the month of December to work on the re-organization. I will always be grateful for that privilege, for conferences I had with various members of the Supreme Court, and for the opportunity of working with Dean Fitzgerald, the Executive Committee of the Illinois Judicial Conference, the Conference of Chief Judges, Justice Murphy's Committee on Re-organization of Cook County and with Chief Judge Elect Boyle and the dedicated group in Cook County.

The skeletal organization set up by the amendment to Article VI has now been endowed with life and provided with muscles by the organizational activities of the Supreme Court, the Judicial Conference and the various committees set up for implementation.

Because of my assignment, and future duties, I worked most closely with Justice Murphy's committee, Chief Judge Elect Boyle and the various committees setting up the organization of the Circuit Court of Cook County. The organization had been so well planned and the preliminary steps so thorough that it was evident that the Circuit Court of Cook County would be ready to function on January 2, 1964. The division of work, the assignment of judges, the necessary orders and rules were all ready for the change-over. Chief Judge Boyle was elected for a three year term on January 2, 1964 and the unified court immediately was fully in operation.

Justice Murphy's committee had set up in the suburban areas of Cook County five geographical divisions, each with a population of 300,000 or more. These were the northeast, the northwest, the central west, the southwest and the southeast areas of suburban Cook County. They were respectively designated as Districts 2 to 6 of the Municipal Department of the Circuit Court. The old Municipal Court of Chicago within the city was designated as District 1.

District 1 had been operating as a unified court for many years, with highly organized clerical and record keeping facilities. The other five districts presented a

very diverse and difficult problem. The geographical units were entirely new from an administrative viewpoint. They represented a consolidation of 26 previously independent local courts, each with its own judge and various non-judicial personnel. Each of the 26 judges, under the amendment, became an associate judge of the Circuit Court of Cook County. In theory the various clerks and other non-judicial personnel likewise became associates in their respective offices in the Circuit Court.

Chief Judge Elect Boyle designated one associate judge from each district as the presiding judge of that district. These five men were excellent choices, both as lawyers and judges, but none had had administrative experience, except for a small local court. I suggested to Chief Judge Boyle I would be glad to try to work out with these five judges joint solutions to their administrative problems. To implement this work, beginning early in December, I have met with these five judges each Tuesday and with Judge Boyle's help we worked out various administrative problems. Among these problems were the designation of central courts for each district, location of bond and prisoner reception stations, location of cafeteria courts, working out clerical problems, both at the central court headquarters and at various other points in each district, the assignment of clerical help from Mr. McDonough's office and coordination of the five districts with the electronic systems in District 1, arrangements with the Sheriff's Office for necessary bailiffs, arrangements with the State's Attorney's Office for a resident assistant at each central court and for circuit-riding assistants to cover the various branches, new relations with the State Police, including cafeteria payments and designated court days, probation officer arrangements, unified forms and types of reports and many others.

Chief Judge Boyle has presided over most of these meetings and given necessary orders to implement their findings. State's Attorney Ward and Sheriff Ogilvie, Circuit Clerk McDonough, and their assistants, Probation Officer Meyering, State Police Officers and others have offered the fullest cooperation in this work.

The above historical comments are given to indicate the scope of planning and the multitude and type of problems presented. The Circuit Court of Cook County is now functioning under the new amendment and I am



certain the ultimate results will prove both the wisdom of the amendment and the thoroughness of the preparation. So that there may be a record by which future results can be judged, I am submitting herewith a statement showing the status of litigation in Cook County as of December 31, 1963.

Respectfully submitted,

JOHN W. FREELS

March 6, 1964

### **CASELOADS IN ALL COOK COUNTY COURTS, 1963**

There follow statistics on the case load of all Courts of Cook County for calendar year 1963. The statistics, except on Police Magistrate Courts, were supplied by the offices of the various clerks, the court itself, or the County Comptroller's Office. The Police Magistrate statistics are constructed figures based upon the research of several Associate Judges and Magistrates of the new Circuit Court who had extensive experience as Police Magistrates.

No attempt is made in the tabulation to classify cases according to the amount of judicial time required for their disposition. The tabulation is merely the statistical "state of the courts" for the calendar year immediately preceding the effective date of the new Judicial Article.

#### **CASES FILED IN COOK COUNTY COURTS — CALENDAR YEAR 1963**

##### **TOTAL FILINGS**

Civil .....	412,441
Criminal (including traffic) .....	1,300,569
Grand Total .....	1,713,010

##### **FILINGS CLASSIFIED BY COURTS**

<b>Civil</b>		<b>Criminal</b>	
Circuit-Superior Courts .....	69,301	Criminal Court .....	3,985
Probate Court .....	12,084	County Court .....	2,958
Family Court (petitions only)...	8,114	Municipal Court of Chicago.....	1,055,522
County Court .....	25,545	"City" Courts .....	64,370
Municipal Court of Chicago.....	277,887	J.P. Courts .....	31,793
"City" Courts .....	5,002	P.M. Courts* .....	141,941
J.P. Courts .....	11,508	Total .....	1,300,569
P.M. Courts* .....	3,000		
Total .....	412,441		

\* Constructed figures.



# **CIRCUIT-SUPERIOR COURTS OF COOK COUNTY**

Source: Offices of the Clerks of the Circuit-Superior Courts

## **COMPARATIVE MONTHLY STATISTICS FOR PERIOD FROM JANUARY 1, 1962 THROUGH DECEMBER 31, 1963**

Total Cases Added	Cases Terminated	Pending at End		Total Cases Added	Cases Terminated	Pending at End
<b>January 1962</b>				<b>January 1963</b>		
1189	1223	43171	Law Jury	1226	1522	45969
477	452	7857	Law Non-Jury	553	633	8803
645	596	2879	Chancery	566	565	3239
1155	1576	7094	Divorce	1265	1485	7407
813	657	8026	Tax	553	672	8911
<hr/> 4279	<hr/> 4504	<hr/> 69027		<hr/> 4163	<hr/> 4877	<hr/> 74329
<b>February 1962</b>				<b>February 1963</b>		
1160	1100	43231	Law Jury	1139	1040	46068
407	308	7956	Law Non-Jury	571	543	8831
506	599	2786	Chancery	501	567	3173
1218	1221	7091	Divorce	1173	1153	7427
561	326	8261	Tax	483	392	9002
<hr/> 3852	<hr/> 3554	<hr/> 69325		<hr/> 3867	<hr/> 3695	<hr/> 74501
<b>March 1962</b>				<b>March 1963</b>		
1463	1217	43477	Law Jury	1395	1454	46009
524	349	8131	Law Non-Jury	560	532	8859
692	808	2670	Chancery	685	684	3174
1411	1463	7039	Divorce	1418	1313	7532
537	470	8328	Tax	296	185	9113
<hr/> 4627	<hr/> 4307	<hr/> 69645		<hr/> 4354	<hr/> 4168	<hr/> 74687
<b>April 1962</b>				<b>April 1963</b>		
1175	989	43663	Law Jury	1460	1466	46003
444	725	7850	Law Non-Jury	576	487	8948
512	458	2724	Chancery	558	758	2974
1369	1237	7171	Divorce	1480	1339	7673
342	415	8255	Tax	324	581	8856
<hr/> 3842	<hr/> 3824	<hr/> 69663		<hr/> 4398	<hr/> 4631	<hr/> 74454
<b>May 1962</b>				<b>May 1963</b>		
1314	1106	43871	Law Jury	1383	1517	45869
502	514	7838	Law Non-Jury	561	530	8979
654	583	2795	Chancery	610	732	2852
1496	1647	7020	Divorce	1518	1455	7736
440	536	8159	Tax	575	439	8992
<hr/> 4406	<hr/> 4886	<hr/> 69683		<hr/> 4647	<hr/> 4673	<hr/> 74428
<b>June 1962</b>				<b>June 1963</b>		
1255	1028	44098	Law Jury	1348	1255	45962
837	775	7900	Law Non-Jury	750	561	9168
540	604	2731	Chancery	610	605	2857
1323	1526	6817	Divorce	1204	1396	7544
424	507	8076	Tax	2012	605	10399
<hr/> 4379	<hr/> 4440	<hr/> 69622		<hr/> 5924	<hr/> 4422	<hr/> 75930

Total Cases Added	Cases Terminated	Pending at End		Total Cases Added	Cases Terminated	Pending at End
<b>July 1962</b>				<b>July 1963</b>		
1244	738	44604	Law Jury	1452	644	46770
626	483	8043	Law Non-Jury	659	412	9415
529	438	2822	Chancery	625	518	2964
1325	1199	6943	Divorce	1214	1021	7737
334	0	8410	Tax	2279	133	12545
4058	2858	70822		6229	2728	79431
<b>August 1962</b>				<b>August 1963</b>		
1260	519	45345	Law Jury	1465	481	47754
662	377	8328	Law Non-Jury	748	377	9786
638	418	3042	Chancery	575	458	3081
1422	294	8071	Divorce	1401	367	8771
401	0	8811	Tax	2136	0	14681
4383	1608	73597		6325	1683	84073
<b>September 1962</b>				<b>September 1963</b>		
1086	784	45647	Law Jury	1353	1175	47932
583	580	8331	Law Non-Jury	702	519	9969
483	435	3090	Chancery	588	421	3248
1277	940	8408	Divorce	1379	808	9342
506	208	9109	Tax	3209	886	17004
3935	2947	74585		7231	3809	87495
<b>October 1962</b>				<b>October 1963</b>		
1132	994	45785	Law Jury	1384	1352	47964
622	643	8310	Law Non-Jury	892	871	9990
604	584	3110	Chancery	693	566	3375
1608	1758	8258	Divorce	1573	1901	9014
399	296	9212	Tax	4560	900	20664
4365	4275	74675		9102	5590	91007
<b>November 1962</b>				<b>November 1963</b>		
1111	890	46006	Law Jury	1227	1009	48182
649	545	8414	Law Non-Jury	581	632	9939
569	540	3139	Chancery	591	957	3009
1347	1561	8044	Divorce	1259	1336	8937
478	524	9166	Tax	3622	466	23820
4154	4060	74769		7280	4400	93887
<b>December 1962</b>				<b>December 1963</b>		
1197	938	46265	Law Jury	1304	1032	48454
962	493	8883	Law Non-Jury	764	631	10072
527	428	3238	Chancery	691	800	6446*
1070	1487	7627	Divorce	1099	1608	8428
356	492	9030	Tax	3588	963	26445
4112	3838	75043		7446	5034	99845

\* Adjusted by 3546 cases.

# CIRCUIT-SUPERIOR COURTS OF COOK COUNTY—(Continued)

Total Cases Added	Cases Terminated	Pending at End		Total Cases Added	Cases Terminated	Pending at End
<b>Totals 1/1/62 Through 12/31/62</b>				<b>Totals 1/1/63 Through 12/31/63</b>		
14586	11526	46265	Law Jury	16136	13947	48454
7295	6244	8883	Law Non-Jury	7917	6728	10072
6899	6491	3238	Chancery	7293	7631	6446*
16021	15909	7627	Divorce	15983	15182	8428
5591	4431	9030	Tax	23637	6222	26445
<hr/> 50392	<hr/> 44601	<hr/> 75043		<hr/> 70966	<hr/> 49710	<hr/> 99845

\* Adjusted by 3546 Cases.

## CRIMINAL COURT OF COOK COUNTY

Source: Office of the Clerk of the Criminal Court

### TREND OF CRIMINAL CASES DURING CALENDAR YEAR 1963

Cases Pending at Beginning of Year	Cases Begun or Reinstated	Cases Disposed of During Year	Cases Pending at End of Year
1200	3985	3841	1344

### NATURE OF TERMINATION OF CRIMINAL CASES DURING CALENDAR YEAR 1963

Actual Number of Defendants in Cases Disposed of = 3803

Not convicted .....	1060	Convicted and Sentenced..	2743	Type of Sentence:	
Dismissed .....	802	Pleas of Guilty.....	2185	Imprisonment ....	2095
Acquitted by Court...	177	Convicted by Court....	408	Probation .....	608
Acquitted by Jury....	81	Convicted by Jury.....	150	Fine Only .....	40



## FAMILY COURT OF COOK COUNTY

Source: Statistical Department, Family Court of Cook County

## NATURE OF ALL MATTERS DISPOSED OF DURING CALENDAR YEAR 1963

Dependent Juveniles	Delinquent Juveniles	Truant Juveniles	Mental-Def. Juveniles	Other	Total
5988	10171	658	110	503	17430

## NUMBER OF CASES TERMINATED AND METHOD OF TERMINATION DURING CALENDAR YEAR 1963

Method of Termination	Dependent Juveniles	Delinquent Juveniles	Truant Juveniles	Mental-Def. Juveniles	Other	Total	Percent of Total
By Judge or Referee .....	4183	6708	631	79	0	11601	66.5
By Probation Staff .....	676	96	9	0	2	783	4.5
By Complaint Unit Staff..	1129	3367	18	31	501	5046	29.0
	<hr/> 5988	<hr/> 10171	<hr/> 658	<hr/> 110	<hr/> 503	<hr/> 17430	<hr/> 100.0

# **COUNTY COURT OF COOK COUNTY**

Source: Office of the Clerk of the County Court of Cook County

## **TREND OF CIVIL CASES DURING PERIOD FROM JANUARY 1, 1963 THROUGH DECEMBER 31, 1963**

	Proceedings Involving Families and Children	Proceedings Involving Mental Illness and Mental Deficiency	Proceedings Involving Taxes	All Other Civil Proceedings	Total
Cases Begun .....	5197	8546	7493	4309	25545
Cases Terminated .....	3050	6439	5967	3290	18746

## **NATURE OF CIVIL CASES BEGUN DURING PERIOD FROM JANUARY 1, 1963 THROUGH DECEMBER 31, 1963**

121

Proceedings Involving Families and Children		Proceedings Involving Taxes		All Other Civil Proceedings	
Adoptions .....	3429	Spec. Assmt., City of Chicago.....	198	Common Law .....	3938
Support, Reciprocal .....	1623	Spec. Assmt., County Towns.....	96	Forcible Detainer .....	31
Support, Mental Act .....	145	Spec. Assmt., Condemnations....	9	Confession of Judgment.....	146
Total .....	5197	Pet. for Tax Deed.....	1398	Establish Date of Birth .....	0
Proceedings Involving Mentally Ill and Mentally Deficient		Inheritance Tax Reports.....	5336	Replevin .....	111
Pet. to Commit Mentally Ill.....	6119	Inheritance Tax Reassmts. ....	62	Appeals From J.P. ....	11
Pet. to Commit Mentally Deficient...	49	Pet. for Tax Refund .....	4	Reconveyance .....	1
Restorations .....	2198	Suits for Real Estate Taxes.....	99	Election Contest .....	4
Recommittals .....	180	State Occup. Tax .....	40	Transfer of Property Rights.....	9
Total .....	8546	Tax Object. to Rate .....	251	Regis. of Foreign Jdgmt. ....	3
		Total .....	7493	Pet. to Organize .....	15
				Annexations .....	30
				Disconnections .....	7
				Propositions .....	3
				Total .....	4309

# NATURE OF TERMINATION OF CIVIL CASES DURING PERIOD FROM

JANUARY 1, 1963 TO DECEMBER 31, 1963

Terminations	Uncontested Terminations	Contested Terminations	
18746	2531	Jury Trials = 132	Non-Jury Trials = 16083

## AGE OF ALL CIVIL CASES PENDING ON DECEMBER 31, 1963

Type of Case	Under 6 Months	6 to 12 Months	1 to 2 Years	2 to 3 Years	Over 3 Years	Totals
122 Proceedings Involving Families and Children.....	935	1109	1598	936	619	5197
Proceedings Involving Mental Illness and Deficiency...	1672	1987	2001	1652	1234	8546
Proceedings Involving Taxes.....	1289	1698	1632	1487	1387	7493
All Other Civil Proceedings .....	724	1062	998	834	691	4309
Totals .....	4620	5756	6229	4909	3931	25545

## TREND OF CRIMINAL CASES DURING THE PERIOD FROM JANUARY 1, 1963 THROUGH DECEMBER 31, 1963

Cases Pending at Beginning of Year	Cases Begun or Reinstated During the Year	Cases Disposed of During the Year	Cases Pending at End of Year
4713	2958	2980	4691



**PROBATE COURT OF COOK COUNTY**

Source: Office of the Clerk of the Probate Court of Cook County

**REPORT ON PROBATE PROCEEDINGS FOR PERIOD FROM  
JANUARY 1, 1963 THROUGH DECEMBER 31, 1963**

	Proceedings Involving Estates of Decedents	Proceedings Involving Guardianships	Proceedings Involving Conservators	Total
Cases Begun.....	8405	2616	1063	12084
Cases Terminated .....	6583	1897	616	9096

# MUNICIPAL COURT OF CHICAGO

Source: The Office of the Chief Justice of the Municipal Court of Chicago

## TREND OF CIVIL CASES (CONTRACT AND TORT) AT ISSUE DURING CALENDAR YEAR 1963

	Pending at start	Reaching issue	Reinstated	Total Added	Terminated	Pending at end	Currency Gain Loss
Jury Cases .....	28328	7192	31	7223	8353	27198	1130
Non-Jury Cases .....	19248	26854	766	27620	26626	20242	994
Totals .....	47576	34046	797	34843	34979	47440	136

## NATURE OF TERMINATION OF CIVIL CASES (CONTRACT AND TORT) AT ISSUE DURING CALENDAR YEAR 1963

Total Cases At Issue Terminated	All Uncontested Terminations of Cases at Issue	All Non-Jury Contested Court Terminations	All Jury Verdict Terminations
34979	30575	3940	464

## NATURE OF DISPOSITION OF UNCONTESTED TERMINATIONS OF CIVIL CASES (CONTRACT AND TORT) AT ISSUE DURING THE CALENDAR YEAR 1963

Total	D.W.P.	Dismissed By Agreement	Default Judgments	Judgments By Agreement	Dismissed by motion of Plaintiff	Dismissed by motion of Defendant	Non-Suits
30575	4666	12370	7449	1724	2376	879	1111

## NATURE OF ALL CIVIL CASES FILED DURING CALENDAR YEAR 1963

Personal Injury Over \$1000 7901	Tort (except P.I.) and Contract Over \$1000 4976		Tort Under \$1000 16887		Contract Under \$1000 47239		Total 77003
Forcible entry and detainer 36526	Attachment 132	Rent 35	Replevin 1555	Rent and possession 7336	Confession of Judgment 34749	Tax 42003	Total 122336
Garnishments 70057	Citations 8217		Revivals of Judgment 274				Total 78548

## TOTAL CIVIL ACTIONS FILED

IN CALENDAR YEAR 1963.....277,887

## TOTAL CIVIL ACTIONS DISPOSED OF

IN CALENDAR YEAR 1963.....205,238

Assigned cases ..... 63,875

No Service, Defaults and Settlement

Prior to Assignment .....141,363

**MUNICIPAL COURT OF CHICAGO—(Continued)**

**TREND OF CRIMINAL CASES (EXCEPT TRAFFIC CASES)  
DURING CALENDAR YEAR 1963**

Cases pending at the beginning of the year	Cases begun or reinstated during the year	Cases disposed of during the year	Cases pending at the end of the year
34656	209,041	222,703	20994

**NATURE OF CRIMINAL CASES (EXCEPT TRAFFIC CASES)  
BEGUN DURING CALENDAR YEAR 1963**

Preliminary Hearings	Quasi-Criminal Cases	Criminal Cases	Paternity
12850	150,440	41105	4646

**NATURE OF DISPOSITION OF CRIMINAL CASES (EXCEPT TRAFFIC CASES)  
DURING CALENDAR YEAR 1963**

Method of Termination or Disposition	Preliminary Hearings	Quasi-Criminal Cases	Criminal Cases
1. Fined .....		30422	3027
2. House of Correction .....		2399	4019
3. County Jail .....			1633
4. Probation .....		66	2653
5. State Institutions .....			1220
6. Transferred to Criminal Court.....	3528		
7. Ordered to Pay .....			3993
8. Discharged .....	2748	23262	14632
9. Dismissed for Want of Prosecution.....	866	22897	6032
10. Leave to File Denied .....	69	30076	659
11. Leave to File Denied (No Number).....		39160	
12. Non-Suit .....		14219	
13. Nol. Pros. ....	6400		2472
14. Stricken Off With Leave to Reinstate .....	1157	971	4123
Totals .....	14768	163472	44463

**TREND OF PERSONAL PROPERTY TAX CASES DURING CALENDAR YEAR 1963**

Pending at Start of Year	New Cases Added	Cases Terminated	Pending at End of Period	Currency Gain Loss
6958	42003	46969	1992	4966

**REPORT OF TRAFFIC TICKETS\* ISSUED AND THE NATURE AND NUMBER  
OF TERMINATIONS OF TRAFFIC CASES FOR CALENDAR YEAR 1963**

Traffic Tickets Issued and Received By the Court.....	846,481
Total Disposition of Tickets By the Municipal Court.....	693,258
Fines Paid .....	201,784
Fines and Jail Sentence or Probation .....	6,286
Cause Dismissed Upon Payment of Court Costs.....	157
ExParte—Satisfied .....	30,728
ExParte—Execution to Issue .....	456
Fine and Cost Suspended.....	52,768
Discharged .....	221,504
Leave to File Denied .....	78,458
Nolle Prosequi .....	11,425
Non-Suit .....	21,744
Discharged for Want of Prosecution .....	66,774
Stricken Off With Leave to Reinstate.....	1,174
Traffic Tickets Not Disposed Of.....	153,133

\* These figures do not include tickets issued for parking violations.



**CITY, VILLAGE, TOWN AND MUNICIPAL COURTS IN COOK COUNTY**  
**REPORT OF PROCEEDINGS (CIVIL AND CRIMINAL CASES) FOR PERIOD FROM**  
**JANUARY 1, 1963 THOUGH DECEMBER 31, 1963**

126

	Blue Island	Brookfield	Bellwood	Calumet City	Chicago Heights	Cicero	Elmwood Park	Evanston	Forest Park	LaGrange Park	Lyons
A. CASES PENDING ON JANUARY 1, 1963	218	0	0	357	202	861	182	2,783		138	0
B. FILINGS											
1. Common Law.....	25	22	1	24	65	177	27	354		1	23
2. Divorce and Separate Maintenance.....	397	6	0	610	428	428	0	0		3	8
3. Appeals from Justices of Peace.....	0	0	0	0	1	0	0	2		0	0
4. Other Civil Cases.....	2	0	2	12	11	35	8	0		5	1
5. Criminal Cases.....	0	2,673	49	0	0	0	6,162	12,732		2,364	3,480
Total Filings.....	424	2,701	52	646	505	640	6,197	13,088		2,373	3,512
C. TERMINATIONS											
1. Common Law.....	24	1	0	54	64	256	27	333		1	0
2. Divorce and Separate Maintenance.....	478	5	0	793	415	538	0	0		2	1
3. Appeals from Justices of Peace.....	0	0	0	0	0	0	0	0		0	0
4. Other Civil Cases.....	1	0	0	11	10	43	528	0		1	0
5. Criminal Cases.....	0	2,636	32	0	0	0	5,205	13,420		2,463	3,463
Total Terminations.....	503	2,642	32	858	489	837	5,760	13,753		2,467	3,464
D. CASES PENDING DECEMBER 31, 1963...	139	59	20	145	218	664	619	2,118		44	48
E. NATURE OF TERMINATIONS											
1. UNCONTESTED CIVIL CASES											
Divorces.....	476	5	0	759	414	483	2	0		2	1
All Others.....	24	1	0	69	73	344	548	258		2	0
2. CONTESTED CIVIL CASES											
Divorces.....	1	0	0	30	1	3	0	0		0	0
Non-Jury Trials.....	2	0	0	0	1	4	0	40		0	0
Jury Verdicts.....	0	0	0	0	0	3	5	35		0	0
F. Number of Judges in Court.....	1	1	1	1	1	2	1	2	1	1	1
1. Visiting Days in Cook.....	Full Time	0	6	213	96	37	52	0	0	94	105
2. Visiting Days Outside Cook.....		0	0	0	0	0	0	0	0	0	0

NOTE: Courts in Calumet Park and Melrose Park were formed immediately prior to the effective date of the Judicial Article and not organized in time to develop a caseload.

**REPORT OF PROCEEDINGS (CIVIL AND CRIMINAL CASES) FOR PERIOD FROM  
JANUARY 1, 1963 THROUGH DECEMBER 31, 1963**

	Markham	Maywood	Midlothian	Niles	North Riverside	Oak Forest	Oak Lawn	Oak Park	Park Ridge	Skokie	TOTALS
A. CASES PENDING ON JANUARY 1, 1963.	0	3,772	1	13	3	200	0	592	76	4,242	13,640
B. FILINGS											
1. Common Law.....	21	61	5	15	3	14	47	88	17	388	1,378
2. Divorce and Separate Maintenance....	52	39	50	3	5	39	29	0	6	18	2,121
3. Appeals from Justices of Peace.....	0	0	0	0	0	0	0	0	0	0	3
4. Other Civil Cases.....	3	1,372	9	0	3	0	15	0	0	22	1,500
5. Criminal Cases.....	511	4,610 <sup>1</sup>	967	2,242	2,883	1,432	3	8,912	151	15,199	64,370
Total Filings.....	587	6,082	1,031	2,260	2,894	1,485	94	9,000	174	15,627	69,372
C. TERMINATIONS											
1. Common Law.....	10	98	1	1	0	5	11	144	11	334	1,375
2. Divorce and Separate Maintenance.....	48	26	38	0	5	35	20	0	5	19	2,428
3. Appeals from Justices of Peace.....	0	0	0	0	0	0	0	0	0	0	0
4. Other Civil Cases.....	1	2,176	1	0	0	0	17	0	0	3	2,792
5. Criminal Cases.....	446	5,701 <sup>1</sup>	831	2,261	2,871	1,603	3	8,756	160	11,586	61,437
Total Terminations.....	505	8,001	871	2,262	2,876	1,643	51	8,900	176	11,942	68,032
D. CASES PENDING DECEMBER 31, 1963.	82	1,853	161	11	21	42	43	692	74	7,927	14,980
E. NATURE OF TERMINATIONS											
1. UNCONTESTED CIVIL CASES											
Divorces.....	43	26	37	0	4	35	20	0	0	16	2,323
All Others.....	10	2,258	2	1	0	5	28	130	5	319	4,077
2. CONTESTED CIVIL CASES											
Divorces.....	3	0	1	0	1	0	0	0	5	0	45
Non-Jury Trials.....	2	6	0	0	0	0	0	5	5	4	69
Jury Verdicts.....	1	10	0	0	0	0	0	9	1	17	81
F. Number of Judges in Court.....	1	1	1	1	1	1	1	1	1	2	24
1. Visiting Days in Cook.....	0	229	76	5	161	140	92	0	15	0	1,321 <sup>2</sup>
2. Visiting Days Outside Cook.....	0	0	0	0	0	0	0	0	0	0	0

<sup>1</sup> Does not include Quasi-Criminal Cases.

<sup>2</sup> Does not include one Judge who served full time in Cook County.

**TABULATION OF CIVIL, CRIMINAL AND TOTAL CASES FILED AND  
TERMINATED BY JUSTICES OF THE PEACE IN COOK COUNTY AS  
REPORTED BY THE COUNTY COMPTROLLER'S OFFICE.**

**REPORT FOR FISCAL YEAR NOVEMBER 1962 THROUGH DECEMBER 1963.**

Under Ill. Rev. Stats., Chap. 79, Par. 1, justices of the peace became county  
officials in 1961 at an annual salary of \$5,500.

Justice of The Peace	Cases Filed			Cases Terminated		
	Civil	Criminal	Total*	Civil	Criminal	Total*
Canby .....	69	76	145	21	79	100
Haggenjos .....	459	347	1644	239	587	1634
Davis .....	—	17	17	3	27	30
Lange .....	149	2532	2681	122	2224	2346
Kelly .....	52	2644	2762	56	2692	2748
Stitt .....	14	901	915	8	862	870
Kolp .....	209	19	228	60	8	68
Morrissey .....	34	118	152	34	113	147
Behrens .....	25	1030	1055	5	1017	1022
Dahl .....	9	4	13	6	2	8
Canty .....	1	1	2	2	1	3
Georgen .....	41	1464	1505	38	1641	1679
Bowes .....	105	311	416	100	1235	1335
Cullen .....	—	—	—	—	1605	1605
Tone .....	60	1002	1064	49	973	1060
Mazor .....	270	2410	2660	238	1767	2035
Ryan .....	21	246	269	28	202	230
Porter .....	101	3	104	104	8	112
Krantz .....	102	1241	1343	102	1400	1550
Nordberg .....	79	143	222	64	141	205
Damisch .....	158	371	529	182	350	532
Hamburg .....	209	835	1044	199	1314	1513
Brown .....	173	—	173	165	—	165
Rusness .....	194	—	194	125	—	125
Haider .....	47	—	47	32	—	32
Bakakos .....	167	1095	1273	135	1020	1166
Boyle .....	22	117	491	26	116	498
Smith .....	102	1394	1496	63	1366	1429
Gardner .....	—	—	—	—	—	—
Taddeo .....	48	—	48	19	—	19
Hoffberg .....	448	48	982	367	36	838
McGah .....	60	594	654	46	456	502
Ryan .....	21	488	519	26	769	795
Sullivan .....	86	17	103	77	26	103
Ransom .....	32	—	32	38	—	38
Powers .....	80	2	82	75	2	77
Lawniczak .....	111	—	111	105	1	106
Soper .....	18	4	23	15	4	20
Klosak .....	33	—	33	33	—	33
Goier .....	69	—	69	46	—	46
Skultety .....	382	4	386	172	5	177
Berkos .....	43	23	66	39	38	77
Venca .....	10	—	10	45	3	48
Salover .....	—	—	—	404	2749	3153
White .....	—	2861	2861	—	2706	2706
Kwiat .....	12	354	379	6	234	320
Smiklas .....	443	—	443	174	—	174
Pociask .....	—	8	8	1	12	13
Kelleher .....	1	147	148	3	139	142
Itzel .....	79	—	79	79	—	79

\* Miscellaneous filings and terminations included in total.



Justice of The Peace	Cases Filed			Cases Terminated		
	Civil	Criminal	Total*	Civil	Criminal	Total*
Smith .....	—	941	941	1	881	882
Benson .....	84	140	246	83	140	245
Wheeler .....	13	108	121	22	109	132
Palmer .....	317	215	532	287	202	489
Orr .....	38	432	470	21	371	392
Hunt .....	3	2971	2974	2	2614	2616
Maher .....	47	972	1038	34	832	887
Rayson .....	104	210	314	82	206	288
Elmore .....	123	788	911	109	764	873
Sparing .....	98	16	233	97	5	227
Baumgartner .....	3	25	28	3	31	34
Winterhoff .....	37	360	397	56	315	371
Buck .....	310	11	321	314	11	325
Brock .....	—	248	248	—	247	247
Laczny .....	5035	362	5397	5010	240	5250
Arnell .....	192	648	840	171	565	736
Stapleton .....	55	167	225	42	155	213
Thompson .....	135	122	257	125	102	227
Lawless .....	50	171	221	50	204	254
O'Rourke .....	16	15	340	9	5	307
	<u>11508</u>	<u>31793</u>	<u>45534</u>	<u>10494</u>	<u>35979</u>	<u>48708</u>

\* Miscellaneous filings and terminations included in Total.











