

IN THE SUPREME COURT OF ILLINOIS



REPORTS BY

ALBERT J. HARNÓ,

Court Administrator, and

JOHN C. FITZGERALD,

Deputy Court Administrator for Cook County.

Bearing on the administration of various courts of the State. The reports include comments and statistical data.

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

I have the honor of presenting to you the Report of the Court Administrator. The Report includes factual materials and comments on law administration in the State of Illinois for the calendar year 1962. Included also is a Report by Mr. John C. Fitzgerald, Deputy Court Administrator for Cook County.

The year has been marked by much activity bearing on our judicial system with a crescendo in the months of 1963 to date. This activity has been caused to a substantial degree by the enactment of the new Judicial Article. It has involved the preparation and projection of legislative measures and other processes aimed to implement the Article on its effective date on January 1, 1964. This activity, no doubt, will continue for the remainder of the current year and beyond.

A number of committees, including several appointed by the Supreme Court, are at work on the implementation of the Article. All of the Supreme Court Committees, namely, the Supreme Court Constitutional Coordinating Committee, the Cook County Judicial Organization Committee, the Downstate Judicial Organization Committee, the Committee on Appellate Courts, the Committee on Courthouses and Related Court Facilities Downstate, and the Cook County Backlog Committee, are reporting to the Supreme Court. I am, therefore, not dealing in this Report with the subjects assigned to these committees. Other groups which are devoting attention to the implementation of the Judicial Article include the following: The Illinois Judicial Conference (which in fact also reports to the Supreme Court), the Judicial Advisory Council of the Legislature, the Joint Committee of the Illinois State and Chicago Bar Associations on Implementation of the Judicial Article, and the Joint Magistrate Courts Committee.

I am pleased to report to Your Honors that two recent Rules of the Supreme Court, namely, *Voir Dire Examination of Jurors* (Supreme Court Rule 24-1) and *Illinois Pattern Jury Instructions* (Supreme Court Rule

25-1) are widely employed by the judges and are receiving their favorable comments both as substantive procedural improvements and as time saving devices. Rule 17-2, the *Impartial Medical Experts Rule*, has been employed infrequently. The comments of the judges, who have used it, are generally favorable, but there is wide opposition to it from members of the Bar. A committee of the Illinois Judicial Conference is making an appraisal of it and expects to report its conclusions at the annual meeting of the Conference in June.

AN EPOCH IN LAW REFORM

Law reforms, in the past, have been marked by their infrequency. This, notwithstanding the fact that clarion voices have often sounded the call for improvements and changes in the law. One voice was that of Judge John J. Parker of the United States Court of Appeals, who, in a notable address, admonished lawyers, if they are to preserve their place in the business life of the nation, they must work to bring about reforms in the administration of justice. "But there is a higher ground", Judge Parker concluded,

"upon which I would base my appeal. If democracy is to live, democracy must be made efficient; for the survival of the fit is as much a law of political economy as it is of the life of the jungle. If we would preserve free government in America, we must make free government, good government. Nowhere does government touch the life of the people more intimately than in the administration of justice; and nowhere is it more important that the governing process be shot through with efficiency and with common sense." *Improving the Administration of Justice*, 27 A.B.A.J. 71, 76 (1941).

Now after many years of stimulation by leaders of the Bench and Bar we are in an era of law revision and reform. The outstanding achievement in Illinois was the enactment of the new Judicial Article. The objectives of the new Article are clear and salutary. The aim is to achieve a unification of all of the courts of the State, and to bring order and coherence into a disparate system; to promote the efficient utilization of the full manpower of the judges of the State; to eliminate friction and controversies among the various courts of the State which under existing procedure had often resulted in senseless dis-

putes, expense to litigants and delays in adjudications. The Article stresses administration in the judicial system. It vests general administrative authority over all of the courts of the State in the Supreme Court. It establishes a Judicial Conference (the Conference was already in existence under a rule of the Supreme Court) which will have the responsibility "to consider the business of the several courts and to suggest improvements in the administration of justice"; it provides for the election of a chief judge by the circuit and associate circuit judges in each of the circuits, who, subject to the authority of the Supreme Court, "shall have general administrative authority in the court", and it gives to the judges a measure of security of tenure and independence from party politics.

This is a broad perspective on the import of the Article. Its effective date is January 1, 1964; but before that date and beyond, many obstacles engendered in the past under the old judicial structure must be removed and this transition will not be an easy one. For over a decade a group of dedicated judges and lawyers, members of a joint committee of the Illinois State and Chicago Bar Associations, labored on the conception and drafting of the Article, and after several defeats secured approval of it in 1961 from the General Assembly. Then followed the strenuous campaign in 1962 in which many lawyers, judges, laymen and lay groups, the press and other news media participated to gain confirmation of it by the voters of the State. There was bitter opposition but when the votes were tallied, the result was that the Article had received the favorable endorsement of the electorate.

At long last, the Article was enacted. For Illinois it marked the end of an epoch in legal history. And upon the enactment of the Article, we are propelled forthwith into another era, that of implementing the Article. This task is not so dramatic as the drafting and enactment phases, but the exacting labor involved has gargantuan proportions.

To what end, may we inquire, did these many individuals offer their "blood, toil, tears and sweat" to bring about the enactment of the new Judicial Article? Surely, not to rescind or modify the basic and enduring concepts of the law. "Justice", said Daniel Webster, "is the great interest of man on earth." "The Administration

of Justice” stressed George Washington, “is the firmest pillar of government”. The fifth amendment to the Constitution of the United States provides, “No person shall * * * be deprived of life, liberty, or property, without due process of law”. State constitutions, including that of Illinois, have similar provisions.

Justice is an ideal. They who worked on the Judicial Article aimed to strengthen and fortify the basic and enduring concepts of the law. They sought through the reorganization of the court structure to bring about improvements in our legal processes; to establish a system of justice which would more nearly reflect the ideals of justice. The administration of justice must be an orderly and responsive process with interrelated parts and not as described by Holmes, a “ragbag of details”. The due process of law clause stands as a mighty bulwark that guards the individual against the unjust encroachments of other men, and, indeed, against the tyranny of government. But mere words will not protect the individual. He must have readily available to him a force that can give meaning and vitality to these words—the prompt, impartial and decisive action of the courts.

An outstanding feature of the new Article is in the framework it establishes for judicial administration. This is the area that in the past has been most neglected. It has, indeed, been a blind spot in the judicial context. Historically, in the often repeated words of Chief Justice Taft, “each judge paddled his own canoe” under a “go-as-you-please system”. There was no apparent need for stressing administration in rural and dispersed communities. Today, administration is a vital factor. Just as modern business cannot carry on without efficient administration, so is it with our judicial system. Judicial administration has, in fact, become “big business”. The Judicial Article, in making provision for a chief judge in each of the circuits who will have general administrative responsibility for the coordination and use of the judge manpower in his circuit, and in vesting general administrative authority over all of the courts of the State in the Supreme Court, has established the framework for efficient judicial administration.

Our interest in law revision and reform centers, and properly so, in the laws of Illinois. But the panorama of reforms is much wider. In the history of the law there

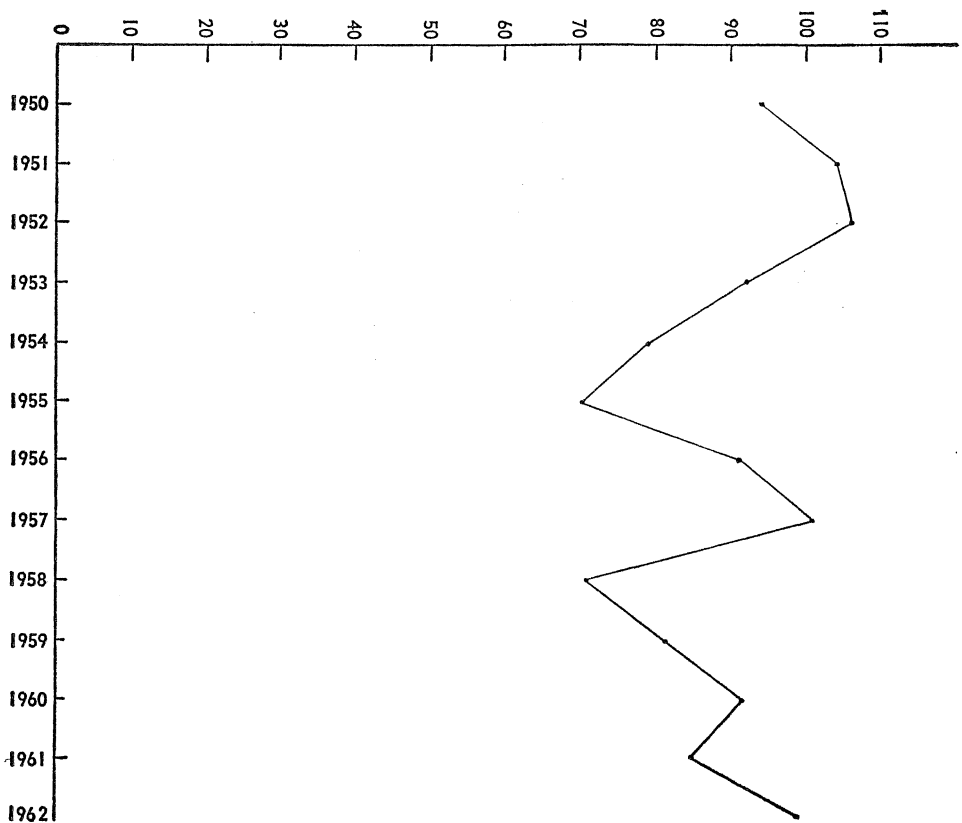
have been monumental achievements in legal architecture and reform. There comes to mind, and to mention only a few, the Code of Hammurabi, the Justinian Code, the Code of Napoleon, the Field Code and the English Judicature Act. But these loom as peaks in splendid isolation. Now we are in an era of legal architecture and law revision. In 1940, Missouri adopted a non-partisan court plan for some of its courts; New Jersey, under the stimulation of that great leader on law reform, Arthur T. Vanderbilt, followed in 1947 with a program of court reorganization; Puerto Rico adopted a new constitution in 1952; in 1961-1962 judicial reforms were enacted in Iowa, Maine and New York; and then on November 6, 1962 came a great day in American legal history when Colorado, Idaho, Illinois, Nebraska, North Carolina and Washington adopted state-wide judicial reforms through constitutional amendments. Today, judicial reform measures are in progress in at least twenty-seven states.

The foregoing measures are, for the most part, in the area of judicial reforms. There are three levels of law reform, namely, substantive law, legal procedures and judicial structures. These are separate categories but the lines of demarcation among them is not always distinct. The *Uniform Commercial Code* and the new *Criminal Code*, enacted in Illinois in 1961, are examples of reforms in substantive law; the *Civil Practice Act* established in 1933 was the first major breakthrough in Illinois in procedural reform, and the new *Judicial Article* is in the area of judicial reform. Indeed, we are on the march on all levels in law reform!

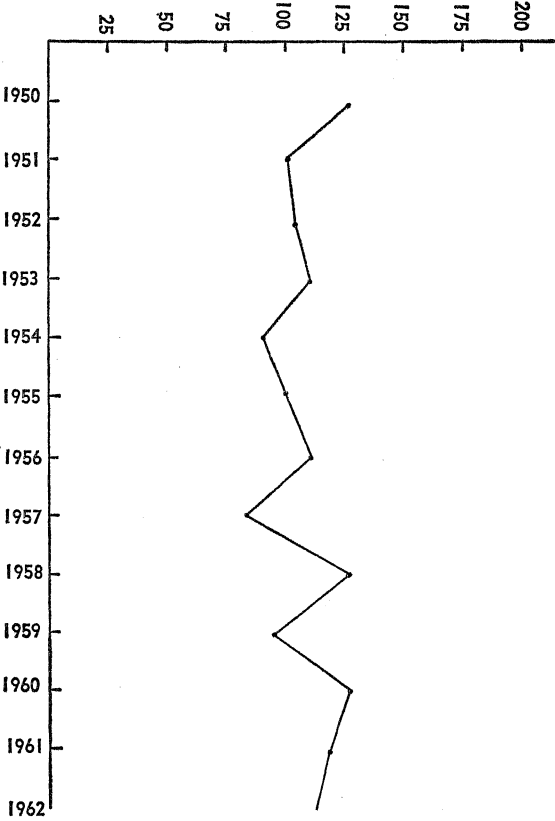
THE SUPREME COURT OF ILLINOIS

The following graphs show that the workload of the Supreme Court has increased in the last few years. There appears to be no substantial delay in the disposition of cases except possibly in the criminal area. One hundred and nineteen of the 190 People's cases decided during 1962 took more than one year between date of filing and disposition. Many of these cases will go to the Appellate Court rather than the Supreme Court after January 1, 1964, the effective date of the new Judicial Article. This should tend to relieve the Supreme Court of its present heavy load of criminal cases.

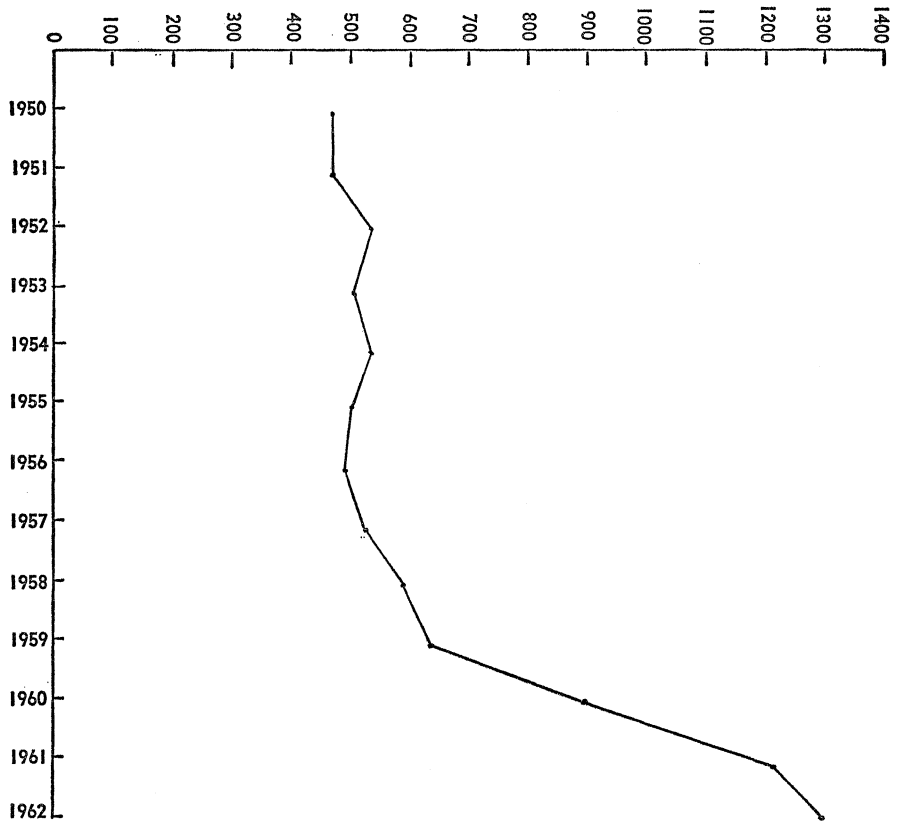
SUPREME COURT OF ILLINOIS NUMBER OF PETITIONS FOR REHEARING 1950-1962



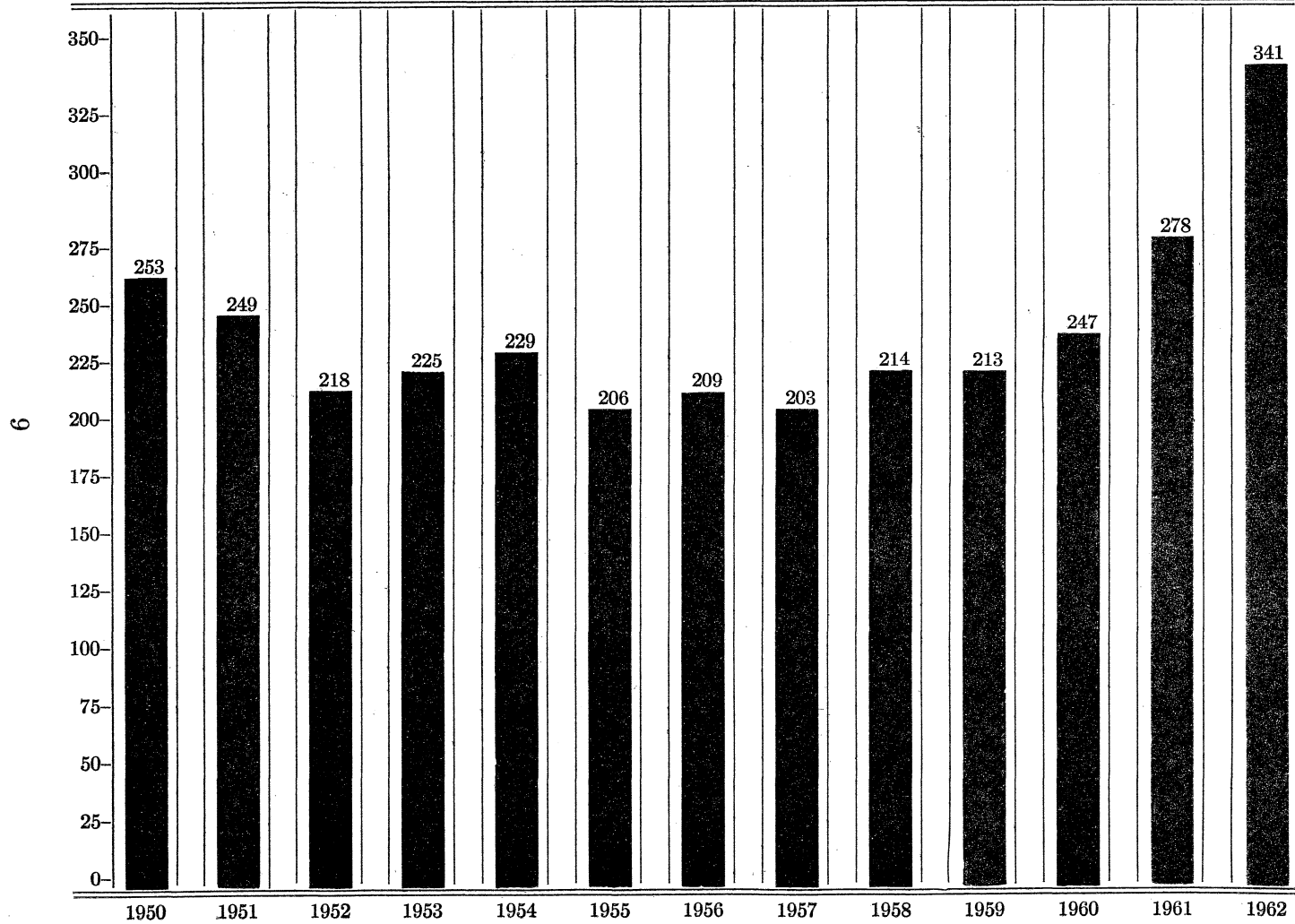
SUPREME COURT OF ILLINOIS
NUMBER OF PETITIONS FOR LEAVE TO APPEAL
1950-1962



**SUPREME COURT OF ILLINOIS
NUMBER OF MOTIONS DISPOSED OF
1950-1962**



SUPREME COURT OF ILLINOIS
NUMBER OF CASES DECIDED WITH FULL OPINIONS
1950-1962



CASES DECIDED DURING THE CALENDAR YEAR 1962 IN THE SUPREME COURT
Time Lapse Between Date of Filing and Disposition

Time Elapsed	Number of Cases						
	People	Civil	Habeas Corpus	Mandamus	Rule 65-1 (2)	Post Conviction	Appeal
Under 6 months.....	8	28	42	20	3	24	4
6 to 12 months.....	63	113	1	6	1	11	0
1 to 1½ years.....	48	9	0	2	0	0	0
1½ to 2 years.....	48	0	0	0	0	0	0
2 to 3 years.....	23	0	0	2	0	0	1
Over 3 years.....	0	0	0	1	0	1	0
TOTAL.....	190	150	43	31	4	36	5

THE APPELLATE COURT OF ILLINOIS

Until January 1, 1964, the effective date of the new Judicial Article, Illinois will have 4 Appellate Court Districts. Cook County comprises the First District, which has 9 judges. The seat of the Second District, which has 6 judges, is at Ottawa. The Third and Fourth Districts each has 3 judges. Springfield is the seat of the Third District, and Mount Vernon is the seat of the Fourth District. Circuit and Superior Court Judges are assigned by the Supreme Court to serve on the Appellate Court.

The Appellate Court affirmed considerably more cases than it reversed during 1962 (a total of 217 affirmed and 132 reversed). In addition, 19 cases were affirmed in part. The First District had the greatest loss in currency (70 cases) during 1962, and the Fourth District was the only district showing a gain in currency during the year. The First District had the greatest number of pending cases (308) on December 31, 1962, and the Fourth District had the fewest (38 cases).

Eighty-one per cent of the cases in the Appellate Court were disposed of within one year of the date of filing. Most of the cases taking longer than one year were in the First District. It would appear that there is no serious problem of delay in any district of the Appellate Court.

SUMMARY OF CASES DISPOSED OF IN THE APPELLATE COURT DURING 1962

	Affirmed	Reversed	Affirmed in Part	Dismissed	Other Dis- position
First District					
Civil	98	72	16	77	16
Criminal ...	4	4	0	0	0
Second District					
Civil	44	26	2	18	11
Criminal ...	0	1	0	0	0
Third District					
Civil	22	14	1	6	3
Criminal ...	2	0	0	0	0
Fourth District					
Civil	45	14		22	
Criminal ...	2	1			
Total					
Civil	209	126	19	123	30
Criminal ...	8	6	0	0	0

THE TREND OF CIVIL CASES
in the
APPELLATE COURT DURING 1962

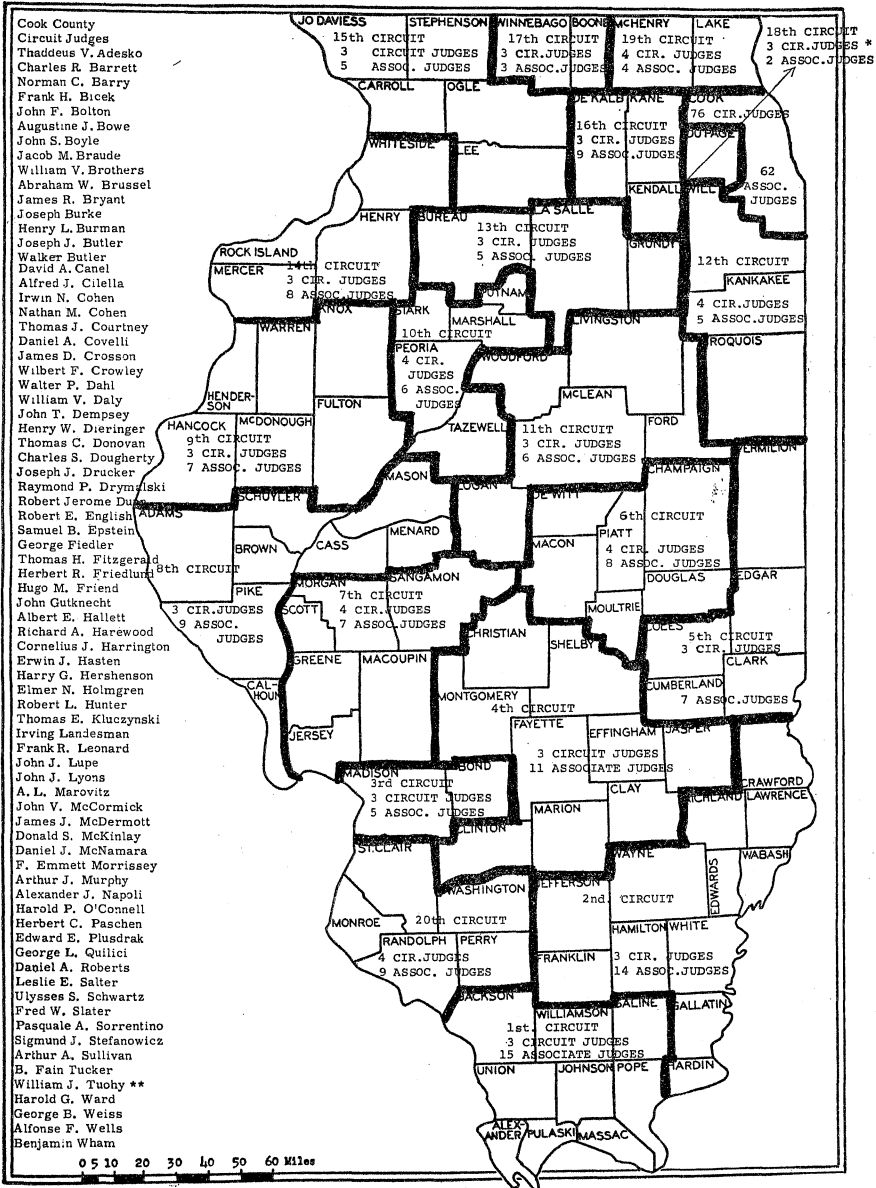
	No. Of Cases Pending On Jan. 1, 1962	No. Of Cases Filed In 1962	No. Of Cases Disposed Of In 1962	No. Of Cases Pending On Dec. 31, 1962	Gain Or Loss In Currency	
					Gain	Loss
First District....	238	357	287	308		70
Second District..	67	134	101	100		33
Third District....	40	54	48	46		6
Fourth District...	51	71	84	38	13	
Total	396	616	520	492		96

**TIME LAPSE BETWEEN DATE OF FILING AND
DISPOSITION OF CASES DECIDED IN THE
APPELLATE COURT DURING 1962**

	TIME ELAPSED					
	Under 6 mos.	6-12 mos.	1-1½ years	1½-2 years	2-3 years	Over 3 yrs.
First District.....	18*	126*	46*	19*	2*	0*
Second District...	42	50	9	0	0	0
Third District....	7	34	6	1	0	0
Fourth District...	17	65	2	0	0	0
Total	84	275	63	20	2	0

* Includes only cases in which the Court wrote an opinion.

**THE NUMBER AND NAMES OF PROSPECTIVE
JUDGES IN EACH CIRCUIT AFTER
JANUARY 1, 1964**



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

COOK COUNTYAssociate Judges

Thomas William Barrett
William M. Barth
Felix M. Buoscio
James K. Chels
Harry G. Comerford
James M. Corcoran
Casimir V. Cwiklinski
Norman N. Eiger
Irving Eiserman
Saul A. Epton
Hyman Feldman
Joseph F. Geary
James A. Geroulis
Irving Goldstein
Raymond G. Hall
Joseph B. Hermes
Charles P. Horan
Harry A. Iseberg
Leonard J. Jakes
Mel Jiganti
Mark E. Jones
Sidney A. Jones, Jr.
Louis W. Kizas
Norman A. Korfiat
Walter J. Kowalski
Franklin I. Kral
Alvin J. Kvistad
David Lefkovits
Frank B. Machala
Nicholas J. Matkovic
Robert E. McAuliffe
Francis T. McCurrie
Joseph H. McGarry
Carl W. McGehee
Helen F. McGillicuddy
Francis T. Moran
James E. Murphy
R.A. Napolitano
Gordon Nash
Benjamin Nelson
Wayne W. Olson
John E. Pavlik
Harry H. Porter
Joseph A. Power
Daniel J. Ryan
Edith S. Sampson
Edward G. Schultz
Maurice J. Schultz
Ben Schwartz
Anton A. Smigiel
Cecil Corbett Smith
Herbert R. Stoffels
Chester J. Strzalka
Harold William Sullivan
John J. Sullivan
Fred G. Suria, Jr.
Eugene L. Wachowski
Kenneth R. Wendt
Joseph M. Wosik

FIRST CIRCUITCircuit Judges

C. Ross Reynolds
Clarence E. Wright
Harold L. Zimmerman

Associate Judges

A.R. Cagle
Stewart Cluster
John H. Clayton
Trafton Dennis
Ian Haney
Peyton H. Kunce
Harry L. McCabe
Jack C. Morris
Robert B. Porter
Everett Prosser
Paul D. Reese
Carl H. Smith
Dorothy Wilbourn Spomer
R. Gerald Trampe
Dan O'Sullivan, Jr.

SECOND CIRCUITCircuit Judges

Caswell J. Grebs
Roy O. Guiley
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 CIRCUITCircuit Judges

Joseph J. Barr
Harold R. Clark
James O. Monroe, Jr.

Associate Judges

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

FOURTH CIRCUITCircuit Judges

Daniel H. Dailey
Franklin R. Dove
Raymond O. Horn

Associate Judges

Prentiss Cosby
Charles L. Fleming
William A. Gino, Jr.
Arthur G. Henken
George R. Kelly
George W. Kassermann, Jr.
James E. McMackin, Jr.
Gail E. McWard
Jack M. Michaelree
Robert J. Sanders
Bill J. Slater

FIFTH CIRCUITCircuit 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 CIRCUITCircuit Judges

Charles E. Keller
Birch E. Morgan
Martin E. Morthland
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 CIRCUITCircuit Judges

Dewitt S. Crow
Creel Douglass
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 CIRCUITCircuit Judges

Maurice E. Barnes
Robert S. Hunter
John T. Reardon

Associate Judges

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

NINTH CIRCUITCircuit 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 CIRCUITCircuit Judges

John T. Culbertson
Henry J. Ingram
J.E. Richards
Howard White

Associate Judges

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

ELEVENTH CIRCUITCircuit Judges

R. Burnell Phillips
William C. Radliff
Leland Simkins

Associate Judges

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

TWELFTH CIRCUITCircuit Judges

James W. Barr
James V. Bartley
Victor N. Cardoso
David E. Oram

Associate Judges

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

THIRTEENTH CIRCUITCircuit Judges

Walter Dixon
Leonard Hoffman
Howard C. Ryan

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

FOURTEENTH CIRCUITCircuit Judges

George O. Hebel
Dan H. McNeal
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 CIRCUITCircuit Judges

Robert L. Bracken
Marvin F. Burt
Leon A. Zick

Associate Judges

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

SIXTEENTH CIRCUITCircuit Judges

John S. Petersen
Cassius Poust
Charles G. Seidel

Associate Judges

John Krause
Neil Mahoney
Ross E. Millet
Walter F. O'Malley
Robert J. Sears
Earl R. Shopen
George Spitz (Resigned)
Dan B. Withers, Jr.

SEVENTEENTH CIRCUITCircuit Judges

William R. Dusher
Arthur V. Essington
Albert S. O'Sullivan

Associate Judges

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

EIGHTEENTH CIRCUITCircuit Judges

Mel Abrahamson
William C. Atten
Bert E. Rathje

Associate Judges

William L. Guild
Philip F. Locke

* Deceased

NINETEENTH CIRCUITCircuit Judges

William M. Carroll
Philip W. Yager
Thomas J. Moran
Glenn K. Seidenfeld

Associate Judges

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

TWENTIETH CIRCUITCircuit Judges

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

Associate Judges

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

**THE TREND OF CIVIL CASES IN THE
CIRCUIT AND SUPERIOR COURTS DURING 1962
Cook County Compared with Downstate Circuits 1-20**

Cook County, with slightly more than half the population of the State, has much more than its share of civil litigation at the circuit court level. During 1962, 5906 jury cases were begun in downstate Circuits 1 through 20, but 9604 jury cases were begun in Cook County. There were 28,746 non-jury cases begun in the downstate circuits and 39,097 in Cook County.

During 1962 Cook County became 3,017 jury cases further behind, compared to a loss in currency of 3,485 jury cases in 1961. There was a loss in currency of 2,774 non-jury cases in Cook County during 1962 as compared to a loss in currency of only 356 non-jury cases in 1961. While there was not quite so great a loss of currency of jury cases during 1962, there was an eight-fold increase in the loss in currency of non-jury cases from 1961 to 1962. This shows more emphasis in the jury area, where the delay is much greater.

Considered as a whole, downstate Circuits 1 through 20 had only a slight loss in currency of jury cases during 1962, but a substantial loss in currency of non-jury cases (2,484 cases). This is a substantial improvement over 1961 in the jury area, but much worse than 1961 in the non-jury area. In 1961 the downstate circuits had a loss in currency of 411 jury cases and 276 non-jury cases.

Eighty-four per cent of Cook County's dispositions were uncontested in 1962, while 77 per cent of the dispositions in downstate Circuits 1 through 20 were uncontested. There were 25,283 divorces granted in Cook County and 21,612 downstate. Divorces constituted 60 per cent of the total dispositions of the Circuit and Superior Courts.

Ninety-eight per cent of the divorces in Cook County were default divorces, while 85 per cent of the divorces downstate were default divorces.

First Circuit

This Circuit experienced a 23% loss in currency of jury cases¹ and a 40% loss in currency of non-jury cases during 1962. This Circuit's non-jury loss of currency was higher than any other circuit except Cook County. This high loss of currency may be attributed to a great increase in the number of non-jury cases begun during 1962 without a corresponding increase in the number of non-jury cases disposed of. In relation to the size of its jury backlog, this Circuit had few jury terminations when compared with the other circuits. While ranking 14th among the circuits in number of jury cases pending on December 31, 1962, this Circuit ranked only 17th in number of jury terminations. Of the 24 jury verdicts reached, 42%, a higher than average percentage,² had been filed prior to 1961. There appears to be no serious problem of delay in this Circuit.

Second Circuit

This Circuit experienced a 7% loss in currency of jury cases due primarily to an increase in the number of jury cases begun without a corresponding increase in the number of jury cases disposed of. This Circuit had a 3% loss in currency of non-jury cases. Thirty-two per cent of the jury cases reaching verdict during 1962 had been filed prior to 1961. This indicates that the Second Circuit had less than the average amount of delay in the trial of jury cases. While this Circuit contains more counties (12) than any other circuit in the state, there appears to be no serious problem of delay.

Third Circuit

This Circuit experienced a very slight loss in currency of jury cases and a 21% loss in currency of non-jury cases. The latter resulted from the fact that 197 fewer non-jury cases were terminated in 1962 than in 1961 and 52 more non-jury cases were begun or reinstated in 1962 than in 1961. Fifty-five per cent of the jury cases reaching verdict, a much higher than average percentage, had been filed prior to 1961. This represents more delay

¹ Stated differently, there was a 23% increase in the backlog of jury cases.

² Thirty-eight per cent of the jury cases reaching verdict in down-state Circuits 1 through 20 had been filed prior to 1961, and comparison is made to this figure as "average" throughout this report.

than was experienced in this Circuit last year. Forty-one per cent of this Circuit's non-jury cases (other than divorces) going to trial during 1962 had been filed prior to 1961. This indicates a substantial delay in 2/5ths of the non-jury cases reaching trial.

Fourth Circuit

This Circuit is the only circuit in the state that had a gain in currency in both the jury and non-jury areas. The gain in currency, however, was less than 1%. Delay in the trial of jury cases in this Circuit is much less than average. In relation to the size of its jury backlog, this Circuit had a high number of jury terminations in comparison with the other circuits. It ranked 16th in the size of jury backlog and 12th in number of jury cases terminated. The judges of this Circuit are keeping up with their case load.

Fifth Circuit

This Circuit had an 8% loss in currency of jury cases caused primarily by losses in Vermilion and Edgar Counties. In addition, there was a 12% loss in currency of non-jury cases. Only a very small percentage of the jury cases reaching verdict during 1962 had been filed prior to 1961. It would accordingly appear that the judges of this Circuit are keeping delay in the trial of jury cases at a minimum.

Sixth Circuit

Attributable, primarily, to a loss in currency in Macon County, this Circuit experienced a 15% loss in currency of jury cases during 1962 despite the fact that there were almost twice as many jury cases reaching verdict in this Circuit during 1962 as in 1961. There was also an 8% loss in currency of non-jury cases. Thirty-one per cent, a less than average percentage, of the jury cases reaching verdict during 1962 had been filed prior to 1961. As recently as January 1, 1961, this Circuit ranked 10th in size of jury backlog. Two years later, January 1, 1963, it ranked 5th in size of jury backlog. Thus, this Circuit has lost ground badly in comparison with the other circuits of the state. However, there is still less than average delay in the trial of jury cases.

Seventh Circuit

This Circuit had a slight gain in currency (3%) of jury cases and a 6% (or 150 cases) loss in currency of non-jury cases. The latter was primarily due to a loss in currency in Sangamon County. The percentage of jury cases that had been filed prior to 1961 was average. During 1962 the Seventh Circuit moved from 9th to 11th place among the circuits in size of its jury backlog. It is apparent that this Circuit is making progress in the jury area at the present time. Implementation of Judge Crow's suggestion to hold simultaneous jury trials in Sangamon County would mean even more progress and less delay.

Eighth Circuit

This Circuit had a very slight gain in currency of jury cases, but a 17% loss in currency of non-jury cases due primarily to a loss in currency in Adams County. This Circuit had the lightest caseload and the smallest jury backlog in the state. It had almost 4 times as many jury verdicts in 1962 as it had in 1961. Of the 22 jury cases reaching verdict during 1962, 3 had been filed prior to 1961, 12 in 1961 and 7 in 1962, indicating little delay in the trial of jury cases.

Ninth Circuit

The Ninth Circuit had a 22% gain in currency of jury cases due primarily to gains in Fulton and Knox Counties. On the other hand, the circuit experienced a 11% loss in currency of non-jury cases due primarily to losses in Knox and McDonough Counties. The circuit had 18 jury cases reaching verdict during 1962. Forty-four per cent of these 18 cases, a higher than average percentage, had been filed prior to 1961. This Circuit, which has one of the lightest jury caseloads in the state, made a good gain on its jury backlog during 1962.

Tenth Circuit

This Circuit had a 10% loss in currency of jury cases during 1962 attributable, primarily, to losses in Peoria and Tazewell Counties. Half of this loss was due to an increase in the number of jury cases begun or reinstated during 1962 and the other half was due to a decrease in the number of terminations. On the other hand, it had

a gain in currency of 82 non-jury cases, or 5%, due primarily to gains in Peoria County. This was a higher numerical gain in currency of non-jury cases than any other circuit in the state. This Circuit's jury backlog is now the same number as the 19th Circuit, having moved from 4th to a tie for 2nd place in size of jury backlog during 1962. Four circuits terminated more jury cases during 1962 than this Circuit. The circuit had a smaller percentage (5%) of jury dispositions reaching verdict than any other downstate circuit. Of 23 jury cases reaching verdict during 1962, 2 had been filed prior to 1959, 6 in 1959, 13 in 1960 and 2 in 1961. While these figures show less delay than was experienced by this Circuit in 1961, it still had a higher percentage of cases that had been filed prior to 1961 (91%) than any other circuit. Thirty-six per cent of this Circuit's non-jury cases (other than divorces) reaching trial had been filed prior to 1961. This indicates substantial delay in over 1/3 of the non-jury cases reaching trial. A county judge has been assigned to the circuit court, and he has performed the duties of a circuit judge for three days each week. Despite this extra help during 1962, this Circuit still has more delay in the trial of jury cases (about 21 months from filing to verdict) than any other downstate circuit.

Eleventh Circuit

This Circuit had a 13% loss in currency of jury cases attributable, primarily, to a loss in McLean County, and a 25% loss in currency of non-jury cases due primarily to losses in McLean and Livingston Counties. The loss in currency of jury cases resulted, in the main, from fewer jury cases being terminated during 1962 than in 1961. A much less than average percentage of jury cases reaching trial had been filed prior to 1961. There appears to be no problem of delay in this Circuit.

Twelfth Circuit

This Circuit had 76 more jury cases begun or reinstated during 1962 than during 1961. As a result the 12th Circuit experienced a 15% loss in currency of jury cases during 1962. It also had a 14% loss in currency of non-jury cases. A higher than average percentage (43%) of the jury cases reaching verdict during 1962 had been filed prior to 1961. On January 1, 1961, this Circuit ranked 11th in size of jury backlog. Two years later, on

December 31, 1962, it ranked 7th. Thus, it has lost ground badly in the jury area in comparison with the other circuits.

Thirteenth Circuit

This Circuit experienced an 8% loss in currency of jury cases due, primarily, to a loss in LaSalle County, and a 12% gain in currency of non-jury cases attributable to gains in LaSalle and Grundy Counties. A higher than average percentage (47%) of jury cases reaching verdict had been filed prior to 1961. This Circuit had more delay in the trial of jury cases during 1962 than it had in 1961. In relation to its backlog of jury cases, this Circuit had a high number of jury terminations, ranking 18th in size of jury backlog and 15th in number of jury cases terminated. The circuit had twice as many jury cases reaching verdict during 1962 as it had in 1961, moving from 18th to 15th position among the circuits.

Fourteenth Circuit

The Fourteenth Circuit experienced a 31% loss in currency of jury cases, a higher percentage loss in currency of jury cases than any other circuit in the state. This loss in currency was due primarily to a loss in Rock Island County. Of the jury cases reaching verdict during 1962, one case out of four, a less than average proportion, had been filed prior to 1961. The circuit had substantially more jury cases reaching verdict during 1962 than it had in 1961, moving from 12th to 9th position among the circuits in number of jury verdicts. The heavy percentage loss in currency of jury cases reported in the last annual report has continued unabated through 1962. Delay in the trial of jury cases is still less than average. There was only a slight loss (1%) in currency of non-jury cases.

Fifteenth Circuit

This Circuit¹ had a very slight (2%) loss in currency of jury cases and a 13% loss in currency of non-jury cases. The latter was due, in the main, to losses in currency in Lee and Stephenson Counties. The circuit had the lightest jury caseload in the state. A higher than

¹ Excluding relatively small JoDaviess County, for which accurate figures are not available.

average percentage (47%) of jury cases reaching verdict during 1962 had been filed prior to 1961. On the average, there was much more delay in the trial of jury cases in this Circuit during 1962 than in 1961.

Sixteenth Circuit

The Sixteenth Circuit had a 10% gain in currency of jury cases during 1962 attributable, primarily, to a gain in Kane County. There was a 2% loss in currency of non-jury cases. A slightly more than average percentage (39) of the jury cases reaching verdict during 1962 had been filed prior to 1961. The circuit had less delay in the trial of jury cases during 1962 than it had in 1961. In relation to its number of jury terminations, this Circuit has a small jury backlog when compared with the other circuits. On January 1, 1962, it ranked 5th among the circuits in size of jury backlog; on December 31, 1962, it ranked 9th. The circuit was commended in the last annual report for its substantial progress in the jury area. During the last year it has made even more progress in cutting down on its backlog of jury cases, resulting in less delay in the trial of jury cases during 1962 than in 1961. While this Circuit had much more than average delay in the trial of jury cases during 1961, delay was almost down to average in 1962. The progress of the circuit in diminishing delay in the trial of jury cases is outstanding.

Seventeenth Circuit

This Circuit had a 15% loss in currency of jury cases during 1962 and a 9% loss in currency of non-jury cases due to losses in Winnebago County. A much less than average percentage (24) of the jury cases reaching verdict had been filed prior to 1961. While this Circuit continues to lose ground in the jury area, it still does not have much delay in the trial of jury cases.

Eighteenth Circuit

This Circuit had neither a gain nor a loss in currency of jury cases during 1962, but it had an 8% loss in currency of non-jury cases. The circuit has a relatively small backlog of jury cases. While ranking 4th among the circuits in number of jury cases terminated, it ranked 10th in size of jury backlog. Only 8% of the circuit's

jury terminations reached verdict, a lower than average percentage.¹ A much higher than average percentage (63) of the jury cases reaching verdict during 1962 had been filed prior to 1961. During 1962 there was more delay in the trial of jury cases in this Circuit than any other downstate circuit except the 10th Circuit. In a letter dated October 15, 1962, Judge William C. Atten of this Circuit informed this office that he had been acting County Judge for the preceding two years in addition to his duties as Circuit Judge. Judge Atten pointed out that he has now given up the County Court work and predicted much better results in the future "if we can consistently get the attorneys to try their cases when we have juries available for them".

Nineteenth Circuit

This Circuit had a gain in currency of 125 jury cases (9%) during 1962 primarily due to a gain in Lake County. This numerical gain in currency was surpassed only by the 20th Circuit. There was a 6% loss in currency of non-jury cases. The circuit had a larger caseload and more jury cases reaching verdict during 1962 than any other downstate circuit. It had less delay in the trial of jury cases during 1962 than it had during 1961. This Circuit, which has a larger population than any other circuit except Cook, had a less than average percentage of jury cases reaching verdict during 1962 that had been filed prior to 1961. A minimal delay in a circuit with so heavy a caseload is remarkable. The hard-working judges of this Circuit are to be commended.

Twentieth Circuit

The figures from this Circuit show a gain in currency of 391 jury cases and a loss in currency of 408 non-jury cases. The accuracy of these figures may be questioned since the clerk in St. Clair County did not transfer any cases from the non-jury to the jury docket during 1962 and a physical inventory of the jury docket at the end of 1962 showed an extra 433 jury cases on the docket which had not been reflected in prior reports from the clerk. The jury backlog of 870 cases in St. Clair County as of December 31, 1962, is an accurate figure, as it was determined by a physical inventory of the docket. Lump-

¹ The average downstate percentage was 16.

ing the jury and non-jury cases together and obviating the cause of the inaccuracy stated above, there was a very slight overall loss in currency in this Circuit. The circuit had more jury cases begun during 1962 than any other downstate circuit and more non-jury cases begun than any other downstate circuit except the 19th. A higher than average percentage (46) of the jury cases reaching verdict during 1962 had been filed prior to 1961. There was more delay in the trial of jury cases during 1962 than there was in 1961. In relation to the size of its jury backlog, this Circuit had a high number of jury terminations during 1962 when compared with the other circuits. It had more jury terminations than any other circuit except Cook, but ranked 4th in size of jury backlog. If the jury and non-jury figures are combined, during 1961 the circuit had the greatest numerical loss in currency in downstate Illinois. During 1962 this Circuit almost held its own. This is a big improvement. However, delay in the trial of jury cases has still been increasing.

SUMMARY

The most serious loss in currency of jury cases during 1962 was in Cook County, which had a loss of 3017 jury cases. Downstate, the greatest loss in currency of jury cases was in the 10th Circuit, which had a loss of 110 cases, followed closely by the 14th Circuit with a loss of 108 cases. Next was the 6th Circuit with a loss of 92 cases and the 12th Circuit with a loss of 83 cases. The greatest loss in currency of non-jury cases was also in Cook County, which had a loss of 2774 cases. The greatest loss downstate was in the First Circuit.

As of March 1963, jury cases tried in regular order in Cook County took (on the average) about 6 years and 2 months to reach verdict. By way of contrast, as of June 1, 1962, it took a jury case tried in regular order (on the average) more than 6 years and 5 months to reach verdict. For the period from September 4, 1962, through March 31, 1963, the average delay of all law-jury cases reaching verdict in Cook County (whether or not tried in regular order) between date of filing and date of verdict was 5 years and 8 months. By way of contrast, the law-jury cases reaching verdict during the period of September 1, 1961–March 31, 1962, took an average of 5 years and 11 months from the date of filing to the date of ver-

dict. Thus, it takes 3 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.

On the average, 38% of the downstate jury cases reaching verdict during 1962 had been filed prior to 1961. The average reported in last year's report was 40%. This shows that, in general, jury cases were tried more promptly during 1962 than in 1961. The greatest delay in the trial of jury cases in the downstate area was in the 10th Circuit, where the delay was about 21 months from time of filing to verdict for jury cases tried in regular order (as near as can be ascertained from the figures available). Ranking next to the 10th Circuit in the amount of delay in the trial of jury cases was the 18th Circuit. Next was the 3rd Circuit with 15-16 months delay in the trial of jury cases.

In general, the delay in the trial of non-jury cases in Illinois was not as great as in the jury area. Downstate, 26% of the contested non-jury dispositions (other than divorces) had been filed prior to 1961. In Cook County 28% of the contested non-jury dispositions (other than divorces) had been filed prior to 1961.

Table 3 shows a distinct correlation between the percentage of jury dispositions reaching verdict and the delay in the trial of jury cases. Generally, the more delay, the less the percentage of jury dispositions reaching verdict. This apparently means that the parties are more likely to settle before verdict if faced with a long delay.

Table 1

THE TREND OF CIVIL CASES IN THE CIRCUIT AND SUPERIOR COURTS DURING 1962

	Number of Jury Cases Begun During 1962	Number of Jury Cases Pending— January 1, 1962	Number of Jury Cases Pending— December 31, 1962	Gain or loss in currency of Jury Cases during 1962		Number of non-jury cases begun during 1962	Number of non-jury cases pending January 1, 1962	Number of non-jury cases pending— December 31, 1962	Gain or loss in currency of non- jury cases during 1962		Popula- tion (1960)
				Gain	Loss				Gain	Loss	
COOK COUNTY											
Circuit Court.....	5,553	28,989	31,327		2,338	14,931	12,019	13,008		989	
Superior Court.....	4,051	14,278	14,957		679	24,166	13,922	15,707		1,785	
TOTAL FOR COOK COUNTY.	9,604	43,267	46,284		3,017	39,097	25,941	28,715		2,774	5,129,725
FIRST CIRCUIT											
Alexander.....	5	8	13		5	117	240	272		32	16,061
Jackson.....	57	53	52	1		436	232	440		208	42,151
Johnson.....	3	11	13		2	27	42	60		18	6,928
Massac.....	13	14	24		10	98	79	76	3		14,341
Pope.....	2	7	4	3		22	14	22		8	4,061
Pulaski.....	2	14	16		2	45	123	144		21	10,490
Saline.....	25	57	67		10	124	220	291		71	26,227
Union.....	19	26	42		16	100	126	158		32	17,645
Williamson.....	102	120	150		30	376	246	382		136	46,117
TOTAL FOR CIRCUIT.....	228	310	381		71	1,345	1,322	1,845		523	184,021
SECOND CIRCUIT											
Crawford.....	1	18	7	11		99	82	87		5	20,751
Edwards.....	4	11	9	2		48	70	75		5	7,940
Franklin.....	76	76	106		30	253	328	371		43	39,281
Gallatin.....	15	11	9	2		37	81	65	16		7,638
Hamilton.....	5	15	8	7		77	47	62		15	10,010
Hardin.....	5	13	5	8		32	42	20	22		5,879
Jefferson.....	32	52	57		5	230	329	280	49		32,315
Lawrence.....	11	15	21		6	111	147	173		26	18,540
Richland.....	10	13	10	3		118	128	129		1	16,299
Wabash.....	2	8	6	2		71	111	109	2		14,047
Wayne.....	8	17	19		2	170	162	193		31	19,008
White.....	21	11	21		10	128	145	152		7	19,373
TOTAL FOR CIRCUIT.....	190	260	278		18	1,374	1,672	1,716		44	211,081

Table 1—(Continued)

	Number of Jury Cases Begun During 1962	Number of Jury Cases Pending— January 1, 1962	Number of Jury Cases Pending— December 31, 1962	Gain or loss in currency of Jury Cases during 1962		Number of non-jury cases begun during 1962	Number of non-jury cases pending January 1, 1962	Number of non-jury cases pending— December 31, 1962	Gain or loss in currency of non- jury cases during 1962		Popula- tion (1960)
				Gain	Loss				Gain	Loss	
THIRD CIRCUIT											
Bond.....	25	13	31		18	31	40	41		1	14,060
Madison.....	394	628	614	14		1,267	1,218	1,484		266	224,689
TOTAL FOR CIRCUIT.....	419	641	645		4	1,298	1,258	1,525		267	238,749
FOURTH CIRCUIT											
Christian.....	31	56	60		4	185	129	142		13	37,207
Clay.....	22	12	16		4	84	61	59	2		15,815
Clinton.....	19	21	19	2		76	57	67		10	24,029
Effingham.....	21	37	38		1	92	101	61	40		23,107
Fayette.....	20	28	25	3		108	57	62		5	21,946
Jasper.....	5	4	4	0	0	35	36	22	14		11,346
Marion.....	30	67	69		2	189	127	142		15	39,349
Montgomery.....	15	42	24	18		68	87	76	11		31,244
Shelby.....	27	26	35		9	77	58	78		20	23,404
TOTAL FOR CIRCUIT.....	190	293	290	3		914	713	709	4		227,447
FIFTH CIRCUIT											
Clark.....	7	5	7		2	63	86	94		8	16,546
Coles.....	58	53	47	6		215	300	340		40	42,860
Cumberland.....	4	15	12	3		33	152	161		9	9,936
Edgar.....	38	36	51		15	105	105	129		24	22,550
Vermilion.....	97	188	203		15	587	359	398		39	96,176
TOTAL FOR CIRCUIT.....	204	297	320		23	1,003	1,002	1,122		120	188,068

SIXTH CIRCUIT

Champaign.....	195	388	395		7	599	523	476	47		132,436
DeWitt.....	6	14	4	10		106	128	163		35	17,253
Douglas.....	21	37	46		9	70	110	164		54	19,243
Macon.....	218	136	220		84	740	652	698		46	118,257
Moultrie.....	8	9	16		7	72	89	126		37	13,635
Piatt.....	10	20	15	5		68	31	30	1		14,960

TOTAL FOR CIRCUIT.....	458	604	696		92	1,655	1,533	1,657		124	315,784
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SEVENTH CIRCUIT

Greene.....	5	22	13	9		82	46	58		12	17,460
Jersey.....	26	27	35		8	91	86	129		43	17,023
Macoupin.....	45	141	97	44		227	420	371	49		43,524
Morgan.....	17	46	40	6		162	146	168		22	36,571
Sangamon.....	147	310	349		39	1,122	1,651	1,780		129	146,539
Scott.....	2	7	5	2		49	27	20	7		6,377

TOTAL FOR CIRCUIT.....	242	553	539	14		1,733	2,376	2,526		150	267,494
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EIGHTH CIRCUIT

Adams.....	51	69	61	8		419	143	198		55	68,467
Brown.....	5	4	8		4	35	27	28		1	6,210
Calhoun.....	3	5	4	1		15	16	8	8		5,933
Cass.....	4	7	5	2		84	40	48		8	14,537
Mason.....	11	14	16		2	84	72	63	9		15,193
Menard.....	11	5	11		6	27	47	36	11		9,248
Pike.....	9	12	13		1	131	61	78		17	20,552
Schuyler.....	6	11	6	5		32	4	19		15	8,746

TOTAL FOR CIRCUIT.....	100	127	124	3		827	410	478		68	148,888
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NINTH CIRCUIT

Fulton.....	37	79	52	27		232	170	186		16	41,954
Hancock.....	9	6	11		5	109	129	142		13	24,574
Henderson.....	4	17	17	0	0	57	73	72	1		8,237
Knox.....	18	43	29	14		488	310	377		67	61,280
McDonough.....	12	11	9	2		145	91	122		31	28,928
Warren.....	9	17	17	0	0	100	86	56	30		21,587

TOTAL FOR CIRCUIT.....	89	173	135	38		1,131	859	955		96	186,560
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Table 1—(Continued)

	Number of Jury Cases Begun During 1962	Number of Jury Cases Pending— January 1, 1962	Number of Jury Cases Pending— December 31, 1962	Gain or loss in currency of Jury Cases during 1962		Number of non-jury cases begun during 1962	Number of non-jury cases pending January 1, 1962	Number of non-jury cases pending— December 31, 1962	Gain or loss in currency of non- jury cases during 1962		Popula- tion (1960)
				Gain	Loss				Gain	Loss	
TENTH CIRCUIT											
Marshall.....	5	13	15		2	35	57	81		24	13,334
Peoria.....	383	796	870		74	1,312	1,166	1,082	84		189,044
Putnam.....	5	14	18		4	15	58	45	13		4,570
Stark.....	8	13	13	0	0	19	74	78		4	8,152
Tazewell.....	147	262	292		30	492	424	411	13		99,789
TOTAL FOR CIRCUIT.....	548	1,098	1,208		110	1,873	1,779	1,697	82		314,889
ELEVENTH CIRCUIT											
Ford.....	10	32	30	2		75	71	90		19	16,606
Livingston.....	41	36	52		16	192	175	259		84	40,341
Logan.....	17	55	59		4	166	203	161	42		33,656
McLean.....	101	379	429		50	438	55	140		85	83,877
Woodford.....	16	29	31		2	65	44	35	9		24,579
TOTAL FOR CIRCUIT.....	185	531	601		70	936	548	685		137	199,059
TWELFTH CIRCUIT											
Iroquois.....	35	29	17	12		141	111	101	10		33,562
Kankakee.....	82	177	188		11	469	538	645		107	92,063
Will.....	249	352	436		84	1,049	589	668		79	191,617
TOTAL FOR CIRCUIT.....	366	558	641		83	1,659	1,238	1,414		176	317,242
THIRTEENTH CIRCUIT											
Bureau.....	48	58	45	13		212	88	90		2	37,594
Grundy.....	20	16	21		5	122	36	25	11		22,350
LaSalle.....	122	172	200		28	630	246	210	36		110,800
TOTAL FOR CIRCUIT.....	190	246	266		20	964	370	325	45		170,744

FOURTEENTH CIRCUIT

Henry.....	29	42	28	14		197	165	152	13	49,317
Mercer.....	16	8	16		8	64	41	30	11	17,149
Rock Island.....	244	268	372		104	731	619	642		150,991
Whiteside.....	31	28	38		10	282	144	153	23 9	59,887

TOTAL FOR CIRCUIT.....	320	346	454		108	1,274	969	977	8	277,344
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FIFTEENTH CIRCUIT

Carroll.....	6	14	16		2	103	54	56	2	19,507
JoDaviess.....	9	Not Accurately Reported				73				21,821
Lee.....	23	44	50		6	215	125	156	31	38,749
Ogle.....	23	23	23	0	0	244	126	128	2	38,106
Stephenson.....	25	39	33	6		276	205	234	29	46,207

TOTAL FOR CIRCUIT.....	86	120 ¹	122 ¹		2 ¹	911	510 ¹	574 ¹	64 ¹	164,390
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SIXTEENTH CIRCUIT

DeKalb.....	56	85	77	8		309	209	212	3	51,714
Kane.....	271	533	487	46		1,318	904	912	8	208,246
Kendall.....	21	38	28	10		88	68	78	10	17,540

TOTAL FOR CIRCUIT.....	348	656	592	64		1,715	1,181	1,202	21	277,500
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SEVENTEENTH CIRCUIT

Boone.....	14	27	25	2		117	90	79	11	20,326
Winnebago.....	216	307	360		53	1,758	1,538	1,690	152	209,765

TOTAL FOR CIRCUIT.....	230	334	385		51	1,875	1,628	1,769	141	230,091
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EIGHTEENTH CIRCUIT

DuPage.....	475	547	547	0	0	1,775	1,600	1,725	125	313,459
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TOTAL FOR CIRCUIT.....	475	547	547	0	0	1,775	1,600	1,725	125	313,459
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NINETEENTH CIRCUIT

Lake.....	494	1,087	966	121		1,858	1,781	1,822	41	293,656
McHenry.....	99	246	242	4		747	716	818	102	84,210

TOTAL FOR CIRCUIT.....	593	1,333	1,208	125		2,605	2,497	2,640	143	377,866
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¹ Not including JoDaviess County.

Table 1—(Continued)

	Number of Jury Cases Begun During 1962	Number of Jury Cases Pending— January 1, 1962	Number of Jury Cases Pending— December 31, 1962	Gain or loss in currency of Jury Cases during 1962		Number of non-jury cases begun during 1962	Number of non-jury cases pending January 1, 1962	Number of non-jury cases pending— December 31, 1962	Gain or loss in currency of non- jury cases during 1962		Popula- tion (1960)
				Gain	Loss				Gain	Loss	
TWENTIETH CIRCUIT											
Monroe.....	10	21	18	3		28	43	41	2		15,507
Perry.....	16	22	41		19	101	126	143		17	19,184
Randolph.....	11	53	42	11		295	228	207	21		29,988
St. Clair.....	597	1,274	870	404		1,420	2,573	2,979		406	262,509
Washington.....	17	9	17		8	35	37	45		8	13,569
TOTAL FOR CIRCUIT.....	651	1,379	988	391		1,879	3,007	3,415		408	340,757
DOWNSTATE TOTAL.....											
COOK COUNTY.....	5,906	10,406	10,420		14	28,746	26,472	28,956		2,484	4,951,433
STATE TOTAL.....	9,604	43,267	46,284		3,017	39,097	25,941	28,715		2,774	5,129,725
	15,510	53,673	56,704		3,031	67,843	52,413	57,671		5,258	10,081,158

Table 2

**THE NATURE OF THE DISPOSITION OF CIVIL CASES
IN THE CIRCUIT AND SUPERIOR COURTS DURING 1962**

	Total No. of Dispo- sitions	UNCONTESTED		CONTESTED		
		Other Than Divorces	Default Divorces	Non-Jury Except Divorces	Divorces	Jury Verdicts Except Divorces
Cook County	44,601	24,738	12,551	6,345	545	422
1st Circuit	995	455	446	64	6	24
2nd Circuit	1,591	755	385	202	211	38
3rd Circuit	1,453	792	430	129	6	96
4th Circuit	1,173	797	252	57	30	37
5th Circuit	1,077	399	259	249	116	54
6th Circuit	1,949	1,031	513	162	182	61
7th Circuit	1,973	970	659	142	139	63
8th Circuit	879	562	243	28	24	22
9th Circuit	1,222	657	241	114	192	18
10th Circuit	2,589	1,252	934	177	203	23
11th Circuit	917	496	179	49	171	22
12th Circuit	1,925	1,110	340	215	220	40
13th Circuit	1,194	744	264	92	60	34
14th Circuit	1,590	712	114	247	462	55
15th Circuit	934	435	79	110	293	17
16th Circuit	2,125	1,452	316	90	173	94
17th Circuit	1,929	1,024	241	156	457	51
18th Circuit	2,146	1,209	351	484	64	38
19th Circuit	3,377	1,911	649	547	119	151
20th Circuit	2,529	1,773	487	185	15	69
Total for Cook County.....	44,601	24,738	12,551	6,345	545	422
Total for Downstate.....	33,567	18,536	7,382	3,499	3,143	1,007
Total for State	78,168	43,274	19,933	9,844	3,688	1,429

Table 3

**THE YEAR OF FILING OF JURY CASES REACHING VERDICT
DURING 1962 AND RELATED MATTERS**

CIRCUIT											Circuit's relative position as to number of jury cases pending on January 1, 1962	Circuit's relative position as to number of jury cases pending on December 31, 1962	Circuit's relative position as to number of jury cases terminated in 1962	Percent of total jury dispositions that reached verdict	Percent of jury cases reaching verdict in 1962 that had been filed prior to 1961
	Total Number 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	Circuit's relative position in number of jury verdicts					
COOK.....	422	187	137	3	9	13	15	46	12	1	1	1	1	3	86
1st.....	24	1	0	4	0	3	2	11	3	16	14	14	17	14	42
2nd.....	38	1	0	0	0	1	10	15	11	12	17	17	16	22	32
3rd* (Madison).....	96	2	1	2	3	5	40	37	6	3	6	6	6	22	55
4th.....	38	1	1	0	3	2	1	22	8	12	16	16	12	21	21
5th* (Vermilion).....	54 ¹	1	0	0	0	1	6	47	17	8	15	15	14	30	11
6th* (Champaign & Macon)...	61	0	0	0	7	1	11	29	13	7	7	5	8	16	31
7th* (Sangamon).....	63	0	0	1	2	5	16	35	4	6	9	11	10	23	38
8th.....	22	0	0	0	0	2	1	12	7	18	20	21	20	19	14
9th.....	18	0	1	0	2	2	3	7	3	20	19	19	18	14	44
10th* (Peoria & Tazewell)....	23	1	0	0	1	6	13	2	0	17	4	2	5	5	91
11th* (McLean).....	22	0	0	0	0	3	3	7	9	18	11	8	19	19	27
12th* (Will & Kankakee).....	40	0	1	0	0	6	10	13	10	11	8	7	9	11	43
13th* (LaSalle).....	34	0	0	1	0	2	13	16	2	15	18	18	15	19	47
14th* (Rock Island).....	53	0	0	0	0	2	11	31	9	9	12	12	11	25	25
15th.....	17	0	0	0	0	3	5	9	0	21	21	20	21	20	47
16th* (Kane).....	92	1	0	0	0	4	31	46	10	4	5	9	7	22	39
17th* (Winnebago).....	51	1	0	1	3	1	6	27	12	10	13	13	13	28	24
18th* (DuPage).....	38	1	0	0	1	10	12	12	2	12	10	10	4	8	63
19th* (Lake & McHenry)....	151	0	1	0	5	15	31	97	2	2	3	2	3	21	34
20th* (St. Clair).....	69	0	0	0	1	5	26	34	3	5	2	4	2	7	46
DOWNSTATE TOTAL.....	1,004	10	5	9	28	79	251	509	131					16	38
COOK COUNTY.....	422	187	137	3	9	13	15	46	12					3	86
STATE TOTAL.....	1,426	197	142	12	37	92	266	555	143					8	52

* Denotes circuits containing counties of over 80,000 population, with names of such counties in parentheses.

¹ This figure is based partly on estimates since accurate figures were not available for Vermilion County, January through May, 1962.

CRIMINAL CASES IN THE CIRCUIT COURTS AND THE CRIMINAL COURT OF COOK COUNTY

There were 759 criminal cases pending in Cook County on January 1, 1962, compared with 1200 cases on December 31, 1962, showing a loss in currency of 441 cases. Downstate Circuits 1 through 20 had 3184 cases pending on January 1, 1962, compared with 3438 cases pending on December 31, 1962. This showed a loss in currency of 254 cases. Cook County had 339 more cases begun or reinstated during 1962 than the combined number for downstate Circuits 1 through 20, and Cook County had 152 more cases disposed of than downstate.

The 6th Circuit had the highest number of criminal cases begun or reinstated in downstate Illinois during 1962, replacing the 20th Circuit which had the highest number in 1961. The 6th Circuit also had the highest number of cases disposed of during 1962. The percentage of defendants that were convicted ranged from 51% in the 10th and 16th Circuits to 86% in the 20th Circuit. The 17th Circuit had the highest number of defendants tried by jury in downstate Illinois.

Of the 5548 criminal cases disposed of during 1962, 48.6% were disposed of in downstate Circuits 1 through 20 and 51.4% by the Criminal Court of Cook County, a much more nearly even percentage than during 1961 when downstate disposed of only 43½% and Cook County 56½%. There were 346 defendants tried by juries in Illinois during 1962, 36% of whom were acquitted and 64% of whom were convicted. Of 759 defendants tried before courts without juries, 24% were acquitted and 76% convicted.

Of the 346 defendants tried by juries during 1962, 55% were tried in Cook County and 45% downstate. Of those tried in Cook County, 33% were acquitted, while 40% of those tried downstate were acquitted. Of 759 defendants tried by the court without a jury, 79% were tried in Cook County and 21% downstate, which shows a much greater emphasis on bench trials in Cook County than downstate. Of the 600 defendants tried by the court without a jury in Cook County, 25% were acquitted. In the 20 downstate circuits, 18% of the 159 cases tried by the court were acquitted.

Of the 733 defendants not convicted in Cook County, 71% were dismissed without trial. In downstate Cir-

cuits 1 through 20, 91% of the 1031 defendants not convicted were dismissed without trial.

In Cook County, of 2093 defendants who were convicted and sentenced during 1962, 72% pleaded guilty. Eighty-nine per cent of the defendants who were convicted and sentenced in the 20 downstate circuits pleaded guilty. This would indicate that downstate defendants are in general more likely to plead guilty than those in Cook County. In the 14th Circuit, of the 131 defendants convicted and sentenced, 130 had pleaded guilty. This was a higher proportion of defendants pleading guilty than any other circuit. At the other extreme, 74% of the defendants convicted in the 7th Circuit had pleaded guilty. This was a lower percentage than any other circuit except Cook.

In Cook County, of 2093 defendants convicted and sentenced, 76% were sentenced to imprisonment. In downstate Circuits 1 through 20, 56% of the defendants convicted were sentenced to imprisonment. These percentages are almost exactly the same as those reported last year for 1961. Most of the remaining defendants were granted probation, but about twice as many downstate defendants were granted probation as in Cook County. Two per cent of the convicted defendants in the state received only fines.

Table 4

**THE TREND OF CRIMINAL CASES IN THE
CIRCUIT COURTS AND THE CRIMINAL COURT
OF COOK COUNTY DURING 1962**

Circuit	Cases Pending on Jan. 1, 1962	Cases Begun or Reinstated in 1962	Cases Disposed of in 1962	Cases Pending on Dec. 31, 1962	Gain or Loss in Currency	
					Gain	Loss
Cook County	759	3,291	2,850	1,200		441
1st Circuit	202	148	93	257		55
2nd Circuit	229	87	101	215	14	
3rd Circuit	104	143	101	146		42
4th Circuit	203	208	165	246		43
5th Circuit	210	174	137	247		37
6th Circuit	134	236	281	89	45	
7th Circuit	245	166	188	223	22	
8th Circuit	28	112	87	53		25
9th Circuit	130	105	98	137		7
10th Circuit	179	178	147	210		31
11th Circuit	56	134	122	68		12
12th Circuit	41	119	96	64		23
13th Circuit	56	85	109	32	24	
14th Circuit	181	146	153	174	7	
15th Circuit	46	126	93	79		33
16th Circuit	109	195	206	98	11	
17th Circuit	76	148	133	91		15
18th Circuit	75	147	109	113		38
19th Circuit	299	115	162	252	47	
20th Circuit	581	180	117	644		63
Total for Downstate.....	3,184	2,952	2,698	3,438		254
Total for Cook County	759	3,291	2,850	1,200		441
Total for State	3,943	6,243	5,548	4,638		695

Table 5

DISPOSITION OF DEFENDANTS IN CRIMINAL CASES TERMINATED DURING 1962

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.....	2,826	733	518	152	63	2,093	1,516	448	129	1,599	442	52
FIRST.....	107	17	17			90	87	1	2	61	29	
SECOND.....	122	50	50			72	58	10	4	47	24	1
THIRD.....	153	56	56			97	91	4	2	37	57	3
FOURTH.....	188	70	69		1	118	104	5	9	82	30	6
FIFTH.....	163	45	32	5	8	118	101	7	10	62	56	
SIXTH.....	292	96	87	6	3	196	180	6	10	94	97	5
SEVENTH.....	206	73	62	5	6	133	98	29	6	71	58	4
EIGHTH.....	91	28	28			63	59	2	2	30	33	
NINTH.....	105	25	25			80 ¹	76	2	1	49	31	
TENTH.....	155	76	71		5	79	77		2	46	32	1
ELEVENTH.....	123	23	22		1	100	86	11	3	70	29	1
TWELFTH.....	124	40	32	2	6	84	69	13	2	48	32	4
THIRTEENTH.....	84	25	24		1	59	58	1		27	28	4
FOURTEENTH.....	191	60	57		3	131	130		1	87	42	2
FIFTEENTH.....	94	15	12	1	2	79	74	4	1	46	28	5
SIXTEENTH.....	265	129	126		3	136	129	2	5	87	47	2
SEVENTEENTH.....	179	40	25	1	14	139	112	8	19	62	76	1
EIGHTEENTH.....	168	64	54	7	3	104 ²	89	15		43	51	4
NINETEENTH.....	182	82	78		4	100	95	2	3	39	61	
TWENTIETH.....	122	17	15	1	1	105	85	9	11	70	34	1
DOWNSTATE TOTAL...	3,114	1,031	942	28	61	2,083	1,858	131	93	1,158	875	44
COOK COUNTY.....	2,826	733	518	152	63	2,093	1,516	448	129	1,599	442	52
STATE TOTAL.....	5,940	1,764	1,460	180	124	4,176	3,374	579	222	2,757	1,317	96

¹ No information as to how one defendant was convicted.² The sentence for 6 of these defendants was destruction of gambling devices.

COUNTY AND PROBATE COURTS

In most of the counties of the state the County Judges administer probate matters as well as their other responsibilities. The counties of Champaign, Cook, DuPage, Kane, Kankakee, Lake, LaSalle, Macon, Madison, McLean, Peoria, Rock Island, Sangamon, St. Clair, Vermilion, Will and Winnebago have separate probate courts.

THE TREND OF CIVIL CASES (OTHER THAN PROBATE) IN THE COUNTY COURTS DURING 1962

On January 1, 1962, there were 25,255 civil cases (other than probate) pending in the county courts of Illinois. On December 31, 1962, this number had increased by 49% to 37,526. For comparison, during 1961 the number of pending cases increased by 20%. There were 8750 more cases begun or reinstated during 1962 than during 1961. The 101 downstate counties had a combined loss in currency of 5386 cases, while Cook County had a loss in currency of 6885 cases.

Only 16 counties showed a gain in currency during 1962. Jefferson County had the largest gain (225 cases) and Lake County was next with 115 cases. Cook County had the greatest loss in currency (6885 cases). Other counties with high losses in currency were: DuPage, 646 cases¹; Winnebago, 513 cases; Vermilion, 473 cases; McHenry, 351 cases; Macon, 285 cases; St. Clair, 267 cases; Sangamon, 252 cases; and McDonough, 246 cases.

Table 6 reveals a wide disparity in the caseloads of the county courts. Except for Cook County, Lake County had the highest number of cases begun or reinstated during 1962 (2929). Winnebago County was next highest with 2821 cases begun or reinstated and then DuPage County with 2314 cases. At the other extreme, Putnam County had the fewest number of cases begun or reinstated, a total of 6 cases for calendar year 1962. Jasper and Brown Counties each had 8 cases begun or reinstated during the year. Twenty-six of the 102 counties in Illinois each had less than 50 cases begun or reinstated during 1962.

Of the 54,689 civil cases (other than probate) begun or reinstated in Illinois during 1962, 32% were proceed-

¹ The office of county judge in this county was vacant until December 3, 1962. One of the circuit judges performed the duties of county judge during part of the year.

ings involving taxes or special assessments, 25% were proceedings involving mental illness or deficiency, 25% were proceedings involving families and children, and 18% were other civil proceedings.

The number of proceedings involving families and children begun or reinstated during 1962 in downstate Illinois ranged from none in Jasper County to 945 in Lake County. The number of proceedings involving mental illness or deficiency ranged from none in Putnam and Mason Counties to 530 in Peoria County. The number of proceedings involving taxes or special assessments ranged from none in six counties to 1891 in Winnebago County.

Of 42,108 civil cases (other than probate) terminated in Illinois during 1962, only 310, or 0.7% involved jury cases reaching verdict. Except for Cook County, the total number of cases terminated during 1962 ranged from 3 in Calhoun County to 3044 in Lake County. Forty-one counties each had less than 50 civil cases (other than probate) terminated during calendar year 1962.

Table 6
THE TREND OF CIVIL CASES (OTHER THAN PROBATE)
IN THE COUNTY COURTS DURING 1962

	NUMBER OF CASES BEGUN OR REINSTATED DURING 1962					NO. OF CASES TERMINATED DURING 1962		GAIN OR LOSS IN CURRENCY DURING 1962	
	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.....	5,212	8,357	6,916	3,029	23,514	83	16,629		6,885
FIRST CIRCUIT									
Alexander.....	56	56	47	2	161	1	108		53
Jackson.....	72	54	218	67	411	1	294		117
Johnson.....	4	12	0	0	16	0	14		2
Massac.....	24	32	7	24	87	7	76		11
Pope.....	7	5	1	0	13	0	7		6
Pulaski.....	86	11	37	3	137	0	140	3	
Saline.....	48	41	0	27	116	0	37		79
Union.....	10	47	4	3	64	0		Not Reported	
Williamson.....	102	59	5	18	184	0	124		60
TOTAL FOR CIRCUIT.....	409	317	319	144	1,189	9	1800		1325
SECOND CIRCUIT									
Crawford.....	50	15	5	11	81	0	41		40
Edwards.....	5	5	2	4	16	0	15		1
Franklin.....	97	49		10	156	1	144		12
Gallatin.....	16	16	14	7	53	0	25		28
Hamilton.....	5	12	14	6	37	0	23		14
Hardin.....	2	6	2		10		7		3
Jefferson.....	32	44		179	255	0	480	225	
Lawrence.....	30	35	31	0	96	0	53		43
Richland.....	31	20	12	42	105	0	43		62
Wabash.....	16	11	13	12	52	0	25		27
Wayne.....	21	22	18	1	62	6	62	0	0
White.....	26	16	1	5	48	4	21		27
TOTAL FOR CIRCUIT.....	331	251	112	277	971	11	939		32

¹ Not including Union County.

Table 6—(Continued)

	NUMBER OF CASES BEGUN OR REINSTATED DURING 1962					NO. OF CASES TERMINATED DURING 1962		GAIN OR LOSS IN CURRENCY DURING 1962	
	Families and Children	Mental Illness or deficiency	Taxes of any kind	Other Civil	Total	Number of Jury Verdicts	Total terminations	Gain	Loss
THIRD CIRCUIT									
Bond.....	4			25	29	3	20		9
Madison.....	275	393	196	537	1,401	5	1,388		13
TOTAL FOR CIRCUIT.....	279	393	196	562	1,430	8	1,408		22
FOURTH CIRCUIT									
Christian.....	81	27	88	72	268	2	211		57
Clay.....	43	17		8	68		49		19
Clinton.....	8	8	252	15	283	1	97		186
Effingham.....	30	20	9	31	90	0	84		6
Fayette.....	25	22	9	17	73	0	41		32
Jasper.....	0	4	1	3	8	0	6		2
Marion.....	75	55	34	14	178	0	139		39
Montgomery.....	40	46	69	65	220	2	149		71
Shelby.....	26	8	179	26	239	1	42		197
TOTAL FOR CIRCUIT.....	328	207	641	251	1,427	6	818		609
FIFTH CIRCUIT									
Clark.....	8	18	3	6	35	1	35	0	0
Coles.....	49	3	74	99	225	1	235	10	
Cumberland.....	33	12	5	2	52	0	42		10
Edgar.....	31	20	113	26	190	1	163		27
Vermilion.....	508	152	273	141	1,074	19	601		473
TOTAL FOR CIRCUIT.....	629	205	468	274	1,576	22	1,076		500

SIXTH CIRCUIT									
Champaign.....	211	87	174	338	810	0	682		128
DeWitt.....	29	10	147	99	285	6	239		46
Douglas.....	27	11	5	30	73	2	33		40
Macon.....	231	81	356	472	1,140	10	855		285
Moultrie.....	13	7	1	7	28	2	26		2
Piatt.....	6	8	1	16	31	1	30		1
TOTAL FOR CIRCUIT.....	517	204	684	962	2,367	21	1,865		502
SEVENTH CIRCUIT									
Greene.....	32	11	0	7	50	0	73	23	
Jersey.....	40	16	66	23	145	1	77		68
Macoupin.....	31	30	5	16	82	0	62		20
Morgan.....	20	40	13	15	88	1	91	3	
Sangamon.....	572	152	371	185	1,280	3	1,028		252
Scott.....	4	5	3	13	25	0	23		2
TOTAL FOR CIRCUIT.....	699	254	458	259	1,670	5	1,354		316
EIGHTH CIRCUIT									
Adams.....	107	73	5	1	186	0	178		8
Brown.....	2	2	4	0	8	0	8	0	0
Calhoun.....	3	3	1	2	9	0	3		6
Cass.....	15	9	15	5	44	0	30		14
Mason.....	18	0	17	41	76	0	86	10	
Menard.....	15	6		6	27	0	23		4
Pike.....	14	17	9	12	52	0	56	4	
Schuyler.....	1	4	4	1	10	1	13	3	
TOTAL FOR CIRCUIT.....	175	114	55	68	412	1	397		15
NINTH CIRCUIT									
Fulton.....	41	34		21	96	0	139	43	
Hancock.....	16	28	2	16	62	0	68	6	
Henderson.....	5	9	4	3	21	0	15		6
Knox.....	80	112	8	46	246	0	Unknown		
McDonough.....	28	17	322	21	388	0	142		246
Warren.....	20	24	27	29	100	3	57		43
TOTAL FOR CIRCUIT.....	190	224	363	136	913	3	1421		1246

¹ Not including Knox County.

Table 6—(Continued)

	NUMBER OF CASES BEGUN OR REINSTATED DURING 1962					NO. OF CASES TERMINATED DURING 1962		GAIN OR LOSS IN CURRENCY DURING 1962	
	Families and Children	Mental Illness or deficiency	Taxes of any kind	Other Civil	Total	Number of Jury Verdicts	Total terminations	Gain	Loss
TENTH CIRCUIT									
Marshall.....	13	14	6	7	40	2	36		4
Peoria.....	428	530	277	316	1,551	1	1,536		15
Putnam.....	3	0	1	2	6	0	6	0	0
Stark.....	2	5	26	4	37	0	30		7
Tazewell.....	98	100	101	167	466	2	257		209
TOTAL FOR CIRCUIT.....	544	649	411	496	2,100	5	1,865		235
ELEVENTH CIRCUIT									
Ford.....	30	11	0	8	49	0	66	17	
Livingston.....	65	32	0	12	109	0	48		61
Logan.....	59	22	51	9	141	0	90		51
McLean.....	149	93	280	64	586	3	550		36
Woodford.....	17		1	11	29	0	14		15
TOTAL FOR CIRCUIT.....	320	158	332	104	914	3	768		146
TWELFTH CIRCUIT									
Iroquois.....	33	8	6	156	203	4	185		18
Kankakee.....	58	214	75	46	393	3	334		59
Will.....	210	118	2	312	642	17	569		73
TOTAL FOR CIRCUIT.....	301	340	83	514	1,238	24	1,088		150
THIRTEENTH CIRCUIT									
Bureau.....	44	28	39	68	179	3	188	9	
Grundy.....	27	11	242	19	299	1	280		19
LaSalle.....	151	54	228	151	584	12	682	98	
TOTAL FOR CIRCUIT.....	222	93	509	238	1,062	16	1,150	88	

FOURTEENTH CIRCUIT									
Henry.....	122	43	163	52	380	5	245		135
Mercer.....	15	12	11	20	58	0	47		11
Rock Island.....	402	271	221	237	1,131	3	1,181	50	
Whiteside.....	129	48	37	9	223	0	165		58
TOTAL FOR CIRCUIT.....	668	374	432	318	1,792	8	1,638		154
FIFTEENTH CIRCUIT									
Carroll.....	29	11	9	0	49	1	48		1
JoDaviess.....	13	10		16	39	0	36		3
Lee.....	26	33	5	20	84	0	37		47
Ogle.....	58	30	18	80	186	0	140		46
Stephenson.....	51	39	185	4	279	1	175		104
TOTAL FOR CIRCUIT.....	177	123	217	120	637	2	436		201
SIXTEENTH CIRCUIT									
DeKalb.....	51	8	0	29	88	0	92	4	
Kane.....	353	381	281	291	1,306	12	1,105		201
Kendall.....	24	6	13	34	77	3	50		27
TOTAL FOR CIRCUIT.....	428	395	294	354	1,471	15	1,247		224
SEVENTEENTH CIRCUIT									
Boone.....	48	4	10	14	76	1	51		25
Winnebago.....	478	327	1,891	125	2,821	15	2,308		513
TOTAL FOR CIRCUIT.....	526	331	1,901	139	2,897	16	2,359		538
EIGHTEENTH CIRCUIT									
DuPage.....	450	133	1,401	330	2,314	16	1,668		646
TOTAL FOR CIRCUIT.....	450	133	1,401	330	2,314	16	1,668		646
NINETEENTH CIRCUIT									
Lake.....	945	188	1,198	598	2,929	11	3,044	115	
McHenry.....	150	77		405	632	4	281		351
TOTAL FOR CIRCUIT.....	1,095	265	1,198	1,003	3,561	15	3,325		236

	NUMBER OF CASES BEGUN OR REINSTATED DURING 1962					NO. OF CASES TERMINATED DURING 1962		GAIN OR LOSS IN CURRENCY DURING 1962	
	Families and Children	Mental Illness or deficiency	Taxes of any kind	Other Civil	Total	Number of Jury Verdicts	Total termina- tions	Gain	Loss
TWENTIETH CIRCUIT									
Monroe.....	10	11	37	1	59	0	19		40
Perry.....	6	11	4		21	0	14		7
Randolph.....	15	20	30	18	83	6	32		51
St. Clair.....	332	148	440	92	1,012	15	745		267
Washington.....	14	11		34	59		47		12
TOTAL FOR CIRCUIT.....	377	201	511	145	1,234	21	857		377
TOTAL FOR COOK COUNTY.....	5,212	8,357	6,916	3,029	23,514	83	16,629		6,885
TOTAL FOR DOWNSTATE	8,665	5,231	10,585	6,694	31,175	227	25,479		5,386
TOTAL FOR STATE.....	13,877	13,588	17,501	9,723	54,689	310	42,108		12,271

**THE AGE OF CIVIL CASES (OTHER THAN
PROBATE) PENDING IN THE COUNTY COURTS
ON DECEMBER 31, 1962**

Cook County had the greatest number of pending cases over 6 months of age (5586). Other counties with large numbers of pending cases over 6 months of age were: Kane, 1549 cases; Lake, 1007 cases; Champaign, 971 cases; Fayette, 945 cases; Madison, 788 cases; DuPage, 662 cases; McHenry, 636 cases; Logan, 432 cases; Will, 430 cases; and Macon, 411 cases.

As indicated above, the report from the County Court of Cook County shows 5586 pending civil cases over 6 months of age. While the figures pertaining to age of pending cases in this Court were obviously based on estimates, they tend to show considerable delay. This, coupled with a loss in currency of 6885 cases during 1962 (compared to a loss in currency of 830 cases during 1961) indicates that more effort is required in this court.

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 even though no one has any intention of proceeding any further. Our real concern should be centered on those cases which are delayed because the judge has insufficient time to hear them. The present statistics do not tell us this.

Table 7
THE AGE OF CIVIL CASES (NOT INCLUDING
PROBATE) PENDING ON DECEMBER 31, 1962
IN THE COUNTY COURTS

	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	Total over 6 mos. of age
COOK COUNTY.....	1,396	1,744	1,746	1,397	699	5,586
FIRST CIRCUIT						
Alexander.....	9	9	11	12	0	32
Jackson.....	109	70	32	14	3	119
Johnson.....	0	0	0	1	7	8
Massac.....	49	40	0	0	0	40
Pope.....	6	0	0	0	0	0
Pulaski.....	3	0	0	2	0	2
Saline.....	42	52	43	41	0	136
Union.....	Not Reported					
Williamson.....	77	47	0	0	0	47
TOTAL FOR CIRCUIT.	295	218	86	70	10	384
SECOND CIRCUIT						
Crawford.....	25	15	12	10	176	213
Edwards.....	1	0	3	0	0	3
Franklin.....	5	7	0	0	0	7
Gallatin.....	21	11	0	0	0	11
Hamilton.....	0	0	0	0	0	0
Hardin.....	0	2	1	0	0	3
Jefferson.....	103	14	84	72	122	292
Lawrence.....	24	21	34	32	280	367
Richland.....	19	21	41	40	0	102
Wabash.....	15	5	4	0	0	9
Wayne.....	18	0	0	0	0	0
White.....	8	0	0	0	19	19
TOTAL FOR CIRCUIT.	239	96	179	154	597	1,026
THIRD CIRCUIT						
Bond.....	10	6	37	2	15	60
Madison.....	364	106	198	90	394	788
TOTAL FOR CIRCUIT.	374	112	235	92	409	848
FOURTH CIRCUIT						
Christian.....	43	14	22	2	7	45
Clay.....	Not Reported					
Clinton.....	7	135	10	74	17	236
Effingham.....	11	3	5	0	0	8
Fayette.....	43	30	133	214	568	945
Jasper.....	4	3	1	1	0	5
Marion.....	28	28	27	13	6	74
Montgomery.....	46	31	0	0	0	31
Shelby.....	23	5	8	2	0	15
TOTAL FOR CIRCUIT.	205	249	206	306	598	1,359

Table 7—(Continued)

	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	Total over 6 mos. of age
FIFTH CIRCUIT						
Clark.....	2	1	0	1	0	2
Coles.....	38	10	0	0	0	10
Cumberland.....	Not Reported					
Edgar.....	27	0	0	0	0	0
Vermilion.....	Information Not Available—Not Reported					
TOTAL FOR CIRCUIT.	67	11	0	1	0	12
SIXTH CIRCUIT						
Champaign.....	93	200	460	191	120	971
DeWitt.....	38	9	0	0	0	9
Douglas.....	17	12	10	1	0	23
Macon.....	531	196	95	82	38	411
Moultrie.....	0	28	0	0	0	28
Piatt.....	1	0	0	0	0	0
TOTAL FOR CIRCUIT.	680	445	565	274	158	1,442
SEVENTH CIRCUIT						
Greene.....	10	21	19	2	27	69
Jersey.....	115	24	57	45	66	192
Macoupin.....	12	8	8	8	5	29
Morgan.....	11	5	9	7	30	51
Sangamon.....	94	89	54	45	47	235
Scott.....	7	3	5	3	1	12
TOTAL FOR CIRCUIT.	249	150	152	110	176	588
EIGHTH CIRCUIT						
Adams.....	20	33	61	48	1	143
Brown.....	0	0	0	0	0	0
Calhoun.....	5	5	10	7	14	36
Cass.....	9	12	0	0	0	12
Mason.....	28	21	65	35	121	242
Menard.....	3	1	0	0	0	1
Pike.....	0	0	0	5	3	8
Schuyler.....	7	14	10	13	141	178
TOTAL FOR CIRCUIT.	72	86	146	108	280	620
NINTH CIRCUIT						
Fulton.....	11	9	24	13	21	67
Hancock.....	12	3	11	11	12	37
Henderson.....	3	1	0	0	0	1
Knox.....	27	16	25	10	11	62
McDonough.....	266	68	0	0	0	68
Warren.....	4	4	10	12	24	50
TOTAL FOR CIRCUIT.	323	101	70	46	68	285

Table 7—(Continued)

	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	Total over 6 mos. of age
TENTH CIRCUIT						
Marshall.....	18	0	1	13	17	31
Peoria.....	169	82	58	21	68	229
Putnam.....	5	0	0	0	0	0
Stark.....	6	0	3	3	2	8
Tazewell.....	210	139	83	88	24	334
TOTAL FOR CIRCUIT.	408	221	145	125	111	602
ELEVENTH CIRCUIT						
Ford.....	14	5	3	5	5	18
Livingston.....	21	24	27	17	20	88
Logan.....	29	23	100	52	257	432
McLean.....	76	98	49	26	30	203
Woodford.....	11	4	5	2	2	13
TOTAL FOR CIRCUIT.	151	154	184	102	314	754
TWELFTH CIRCUIT						
Iroquois.....	12	4	2	0	0	6
Kankakee.....	39	5	14	6	72	97
Will.....	113	97	131	69	133	430
TOTAL FOR CIRCUIT.	164	106	147	75	205	533
THIRTEENTH CIRCUIT						
Bureau.....	19	7	10	1	0	18
Grundy.....	14	3	2	2	2	9
LaSalle.....	120	62	45	26	28	161
TOTAL FOR CIRCUIT.	153	72	57	29	30	188
FOURTEENTH CIRCUIT						
Henry.....	58	32	31	36	49	148
Mercer.....	5	6	0	18	11	35
Rock Island.....	173	83	73	53	0	209
Whiteside.....	18	35	5	0	0	40
TOTAL FOR CIRCUIT.	254	156	109	107	60	432
FIFTEENTH CIRCUIT						
Carroll.....	1	0	0	0	0	0
JoDaviess.....	5	3	2	0	0	5
Lee.....	24	18	14	5	8	45
Ogle.....	26	20	0	0	0	20
Stephenson.....	105	4	9	4	3	20
TOTAL FOR CIRCUIT.	161	45	25	9	11	90

	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	Total over 6 mos. of age
SIXTEENTH CIRCUIT						
DeKalb.....	12	22	25	34	211	292
Kane.....	125	162	623	505	259	1,549
Kendall.....	9	10	11	12	26	59
TOTAL FOR CIRCUIT.	146	194	659	551	496	1,900
SEVENTEENTH CIRCUIT						
Boone.....	19	3	1	2	0	6
Winnebago.....	1,214	65	0	0	0	65
TOTAL FOR CIRCUIT.	1,233	68	1	2	0	71
EIGHTEENTH CIRCUIT						
DuPage.....	400	468	145	31	18	662
TOTAL FOR CIRCUIT.	400	468	145	31	18	662
NINETEENTH CIRCUIT						
Lake.....	554	222	164	115	506	1,007
McHenry.....	430	115	301	220	0	636
TOTAL FOR CIRCUIT.	984	337	465	335	506	1,643
TWENTIETH CIRCUIT						
Monroe.....	0	7	6	24	59	96
Perry.....	7	0	0	0	2	2
Randolph.....	23	28	0	0	0	28
St. Clair.....	165	84	18	0	0	102
Washington.....	7	4	0	0	0	4
TOTAL FOR CIRCUIT.	202	123	24	24	61	232
TOTAL FOR COOK COUNTY.....	1,396	1,744	1,746	1,397	699	5,586
TOTAL FOR DOWN-STATE.....	6,760	3,412	3,600	2,551	4,108	13,671
TOTAL FOR STATE....	8,156	5,156	5,346	3,948	4,807	19,257

PROBATE PROCEEDINGS IN THE COUNTY AND PROBATE COURTS DURING 1962

Table 8 reveals a wide disparity in the probate case-loads of the various county and probate courts. In downstate Illinois the total number of probate cases begun during 1962 ranged from 15 in Pope County to 854 in Lake County. Fourteen counties each had less than 50 probate cases begun during 1962. The following county and probate courts have had substantial increases in their probate caseload.

County	No. of Probate Cases Begun in 1961	No. of Probate Cases Begun in 1962
Adams	427	529
Calhoun	14	31
Cass	54	80
Christian	211	278
Coles	250	280
Fulton	367	395
Grundy	70	93
Henry	248	334
Jackson	161	202
Kane	636	690
Kankakee	151	370
Lake	652	854
Mercer	129	145
Montgomery	228	303
Morgan	180	252
Randolph	121	153
Rock Island	546	633
Sangamon	763	807
Schuyler	46	62
St. Clair	767	817
Stephenson	238	277
Vermillion	329	409
Washington	68	98
White	91	115

The number of proceedings involving estates of decedents begun during 1962 ranged from 9 in Hardin County to 665 each in Sangamon and Lake Counties. The number of proceedings involving guardianships ranged from none in Putnam County to 138 in DuPage County. The number of conservatorships ranged from none in Putnam County to 99 in St. Clair County.

The number of probate cases terminated in downstate Illinois ranged from none in Henderson County to 666 in Lake County. Thirty counties each terminated less than 50 probate cases during 1962.

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

Table 8
PROBATE PROCEEDINGS IN THE COUNTY AND
PROBATE COURTS DURING 1962

	NUMBER OF CASES BEGUN IN 1962					No. of Cases Terminated in 1962
	Estates of Decedents	Guardian- ships	Conserva- torships	Other Probate	Total	
Cook County	8,059	2,596	965		11,620	8,292
First Circuit						
Alexander	38	7	15	0	60	2
Jackson	127	20	21	34	202	147
Johnson	15	3	4	0	22	9
Massac	62	14	20	0	96	41
Pope	11	3	1	0	15	12
Pulaski	21	1	8	3	33	27
Saline	66	16	15	0	97	64
Union	44	5	3	0	52	
Williamson	152	23	20	0	195	87
Total for Circuit.....	536	92	107	37	772	389
Second Circuit						
Crawford	74	8	11	0	93	16
Edwards	26	5	11	1	43	24
Franklin	111	13	18	0	142	88
Gallatin	31	4	1	0	36	27
Hamilton	38	1	4	0	43	4
Hardin	9	3	3	1	16	4
Jefferson	83	12	13	0	108	45
Lawrence	52	1	8	0	61	41
Richland	51	3	7	7	68	55
Wabash	48	6	5	0	59	6
Wayne	17	10	7	0	34	24
White	87	10	18	0	115	
Total for Circuit.....	627	76	106	9	818	334
Third Circuit						
Bond	42	5	8	0	55	37
Madison	415	91	50	0	556	359
Total for Circuit.....	457	96	58	0	611	396
Fourth Circuit						
Christian	253	10	15	0	278	154
Clay	68	12	11	0	91	56
Clinton	76	10	7	0	93	48
Effingham	84	9	13	0	106	90
Fayette	88	13	23	0	124	75
Jasper	42	1	7	0	50	35
Marion	128	21	23	0	172	98
Montgomery	198	14	27	64	303	75
Shelby	111	10	12	3	136	101
Total for Circuit	1,048	100	138	67	1,353	732

Table 8—(Continued)

	NUMBER OF CASES BEGUN IN 1962					No. of Cases Terminated in 1962
	Estates of Decedents	Guardian- ships	Conserva- torships	Other Probate	Total	
Fifth Circuit						
Clark	74	6	10	0	90	59
Coles	156	17	25	82	280	258
Cumberland	35	2	5	0	42	60
Edgar	131	10	9	0	150	165
Vermilion	298	47	64	0	409	267
Total for Circuit	694	82	113	82	971	809
Sixth Circuit						
Champaign	392	44	32	0	468	347
DeWitt	103	11	13	0	127	122
Douglas	73	3	8	20	104	88
Macon	338	55	28	0	421	433
Moultrie	77	5	6	0	88	56
Piatt	62	8	10	6	86	64
Total for Circuit	1,045	126	97	26	1,294	1,110
Seventh Circuit						
Greene	83	4	13	0	100	48
Jersey	50	8	6	4	68	45
Macoupin	216	17	43	9	285	195
Morgan	137	15	21	79	252	234
Sangamon	665	68	74	0	807	591
Scott	34	2	4	9	49	42
Total for Circuit.....	1,185	114	161	101	1,561	1,155
Eighth Circuit						
Adams	277	31	35	186	529	409
Brown	34	1	2	0	37	27
Calhoun	25	2	4	0	31	19
Cass	55	3	11	11	80	72
Mason	77	4	10	0	91	70
Menard	47	3	7	0	57	41
Pike	76	5	13	0	94	19
Schuyler	50	2	10	0	62	57
Total for Circuit	641	51	92	197	981	714
Ninth Circuit						
Fulton	356	16	23	0	395	317
Hancock	102	4	10	1	117	131
Henderson	39	8	1	0	48	0
Knox	203	23	30	0	256	205
McDonough	139	5	20	0	164	96
Warren	120	9	21	0	150	124
Total for Circuit.....	959	65	105	1	1,130	873

Table 8—(Continued)

	NUMBER OF CASES BEGUN IN 1962					No. of Cases Terminated in 1962
	Estates of Decedents	Guardian- ships	Conserva- torships	Other Probate	Total	
Tenth Circuit						
Marshall	79	6	6	0	91	64
Peoria	470	87	61	0	618	640
Putnam	19	0	0	0	19	12
Stark	47	3	4	0	54	45
Tazewell	209	46	20	0	275	236
Total for Circuit	824	142	91	0	1,057	997
Eleventh Circuit						
Ford	90	7	6	0	103	81
Livingston	215	21	9	0	245	163
Logan	130	5	3	0	138	106
McLean	310	30	25	80	445	359
Woodford	92	7	10	38	147	105
Total for Circuit	837	70	53	118	1,078	814
Twelfth Circuit						
Iroquois	157	15	9	19	200	152
Kankakee	300	30	40	0	370	220
Will	369	55	25	0	449	330
Total for Circuit.....	826	100	74	19	1,019	702
Thirteenth Circuit						
Bureau	170	13	13	0	196	201
Grundy	75	9	9	0	93	68
LaSalle	329	40	36	0	405	367
Total for Circuit	574	62	58	0	694	636
Fourteenth Circuit						
Henry	181	9	17	127	334	330
Mercer	90	11	13	31	145	126
Rock Island	452	76	83	22	633	439
Whiteside	247	25	20	0	292	199
Total for Circuit	970	121	133	180	1,404	1,094
Fifteenth Circuit						
Carroll	82	9	11	0	102	94
JoDavless	119	8	5	0	132	133
Lee	124	15	15	0	154	117
Ogle	120	13	21	23	177	136
Stephenson	220	19	38	0	277	180
Total for Circuit	665	64	90	23	842	660
Sixteenth Circuit						
DeKalb	232	17	13	0	262	177
Kane	521	99	70	0	690	630
Kendall	45	9	3	11	68	45
Total for Circuit	798	125	86	11	1,020	852

NUMBER OF CASES BEGUN IN 1962						No. of Cases Terminated in 1962
Estates of Decedents	Guardian- ships	Conserva- torships	Other Probate	Total		
Seventeenth Circuit						
Boone	69	9	16	3	97	15
Winnebago	445	69	97	0	611	436
Total for Circuit	514	78	113	3	708	451
Eighteenth Circuit						
DuPage	361	138	42	0	541	326
Total for Circuit	361	138	42	0	541	326
Nineteenth Circuit						
Lake	665	137	52	0	854	666
McHenry	214	31	24	0	269	167
Total for Circuit	879	168	76	0	1,123	833
Twentieth Circuit						
Monroe	74	4	4	1	83	75
Perry	50	8	8	0	66	3
Randolph	120	14	19	0	153	108
St. Clair	587	97	99	34	817	131
Washington	85	4	9	0	98	36
Total for Circuit.....	916	127	139	35	1,217	353
Total for Cook County..	8,059	2,596	965		11,620	8,292
Total for Downstate....	15,356	1,997	1,932	909	20,194	14,230
Total for State.....	23,415	4,593	2,897	909	31,814	22,522

THE TREND OF CRIMINAL CASES IN THE COUNTY COURTS DURING 1962

From January 1, 1962, to December 31, 1962, the number of criminal cases pending in the county courts in Illinois increased by 7% from 8236 to 8849.

Cook County had 2143 criminal cases begun or reinstated during 1962 and the downstate 101 counties had 12,558 criminal cases begun or reinstated. Downstate counties with high numbers of criminal cases begun or reinstated during the year were: Vermilion, 1138 cases; St. Clair, 875 cases; Winnebago, 650 cases; McHenry, 555 cases; and Champaign, 432 cases. In the county courts, 39 of the 102 courts each disposed of less than 50 criminal cases during 1962. Cook County had 1,961 criminal dispositions during 1962, and the downstate counties had 12,094 criminal dispositions. The downstate counties having a high number of dispositions were: St. Clair, 1018 cases; Vermilion, 966 cases; Winnebago, 490 cases; Champaign, 474 cases; Rock Island, 419 cases; and Lake, 414 cases. The average number of cases disposed of per county was 139.

Counties with a high number of cases pending on December 31, 1962, were: McHenry, 1599 cases; Kane, 579 cases; Cook, 440 cases; Champaign, 361 cases; St. Clair, 282 cases; DeKalb, 248 cases, and Madison, 242 cases.

Table 9
THE TREND OF CRIMINAL CASES IN THE
COUNTY COURTS DURING 1962

	No. of Cases Pending on Jan. 1, 1962	No. of Cases Begun or Reinstated in 1962	No. of Cases Disposed of in 1962	No. of Cases Pending on Dec. 31, 1962
Cook County	258	2,143	1,961	440
First Circuit				
Alexander	9	255	226	38
Jackson	19	170	139	50
Johnson	1	2	3	0
Massac	21	103	113	11
Pope	4	10	6	8
Pulaski	89	49	69	69
Saline	135	149	85	199
Union		33		
Williamson	40	234	150	124
Total for Circuit.....	318	1,005	791	499
Second Circuit				
Crawford	125	62	44	143
Edwards	5	23	19	14
Franklin	58	200	217	41
Gallatin	146	86	122	110
Hamilton	89	89	95	83
Hardin	1	3	2	2
Jefferson	67	76	50	93
Lawrence	137	70	3	204
Richland	17	33	37	13
Wabash	8	105	56	57
Wayne	39	75	46	68
White	80	94	54	120
Total for Circuit.....	772	921	745	948
Third Circuit				
Bond	33	82	70	45
Madison	285	193	236	242
Total for Circuit.....	318	275	306	287
Fourth Circuit				
Christian	64	202	176	90
Clay	10	74	30	54
Clinton	0	205	92	113
Effingham	6	105	87	24
Fayette	221	38	215	44
Jasper	20	15	14	21
Marion	72	90	55	107
Montgomery	0	28	26	2
Shelby	11	57	46	22
Total for Circuit	404	814	741	477

Table 9—(Continued)

	No. of Cases Pending on Jan. 1, 1962	No. of Cases Begun or Reinstated in 1962	No. of Cases Disposed of in 1962	No. of Cases Pending on Dec. 31, 1962
Fifth Circuit				
Clark	10	26	25	11
Coles	29	164	172	21
Cumberland	0	47	47	0
Edgar	85	68	135	18
Vermilion	50 ¹	1,138	966	222
Total for Circuit.....	174	1,443	1,345	272
Sixth Circuit				
Champaign	403	432	474	361
DeWitt	42	66	84	24
Douglas	13	44	23	34
Macon	140	268	302	106
Moultrie	13	18	22	9
Piatt	8	23	21	10
Total for Circuit.....	619	851	926	544
Seventh Circuit				
Greene	23	99	78	44
Jersey	45	14	27	32
Macoupin	82	145	218	9
Morgan	24	82	81	25
Sangamon	129	178	204	103
Scott	17	26	24	19
Total for Circuit	320	544	632	232
Eighth Circuit				
Adams	26	243	239	30
Brown	0	10	10	0
Calhoun	29	12	18	23
Cass	3	48	46	5
Mason	126	29	17	138
Menard	0	7	6	1
Pike	70	86	104	52
Schuyler	70	10	11	69
Total for Circuit.....	324	445	451	318
Ninth Circuit				
Fulton	227	63	171	119
Hancock	53	53	48	58
Henderson	1	32	32	1
Knox	80	285	277	88
McDonough	81	52	97	36
Warren	122	79	141	60
Total for Circuit.....	564	564	766	362
Tenth Circuit				
Marshall	5	24	22	7
Peoria	38	127	109	56
Putnam	0	3	3	0
Stark	0	1	1	0
Tazewell	100	84	50	134
Total for Circuit.....	143	239	185	197

¹ Estimated

Table 9—(Continued)

	No. of Cases Pending on Jan. 1, 1962	No. of Cases Begun or Reinstated in 1962	No. of Cases Disposed of in 1962	No. of Cases Pending on Dec. 31, 1962
Eleventh Circuit				
Ford	5	46	36	15
Livingston	7	152	101	58
Logan	21	51	56	16
McLean	38	155	158	35
Woodford	5	50	37	18
Total for Circuit.....	76	454	388	142
Twelfth Circuit				
Iroquois	34	122	145	11
Kankakee	15	86	74	27
Will	79	328	263	144
Total for Circuit.....	128	536	482	182
Thirteenth Circuit				
Bureau	50	73	117	6
Grundy	4	17	14	7
LaSalle	325	88	361	52
Total for Circuit.....	379	178	492	65
Fourteenth Circuit				
Henry	105	111	67	149
Mercer	38	77	71	44
Rock Island	360	235	419	176
Whiteside	21	125	112	34
Total for Circuit.....	524	548	669	403
Fifteenth Circuit				
Carroll	19	49	60	8
JoDavieess	3	7	9	1
Lee	9	60	46	23
Ogle	31	129	122	38
Stephenson	8	88	87	9
Total for Circuit.....	70	333	324	79
Sixteenth Circuit				
DeKalb	239	121	112	248
Kane	454	280	155	579
Kendall	6	50	39	17
Total for Circuit.....	699	451	306	844
Seventeenth Circuit				
Boone	1	25	19	7
Winnebago	58	650	490	218
Total for Circuit.....	59	675	509	225
Eighteenth Circuit				
DuPage	99	304	218	185
Total for Circuit.....	99	304	218	185

Table 9—(Continued)

	No. of Cases Pending on Jan. 1, 1962	No. of Cases Begun or Reinstated in 1962	of in 1962 No. of Cases Disposed	No. of Cases Pending on Dec. 31, 1962
Nineteenth Circuit				
Lake	169	316	414	71
McHenry	1,300	555	256	1,599
Total for Circuit.....	1,469	871	670	1,670
Twentieth Circuit				
Monroe	36	5	5	36
Perry	18	30	7	41
Randolph	35	168	102	101
St. Clair	425	875	1,018	282
Washington	5	29	16	18
Total for Circuit.....	519	1,107	1,148	478
Total for Cook County	258	2,143	1,961	440
Total for Downstate..	7,978	12,558	12,094	8,409
Total for State	8,236	14,701	14,055	8,849

CITY, TOWN AND VILLAGE COURTS AND MUNICIPAL COURTS IN COOK COUNTY OUTSIDE OF CHICAGO

The reports from 27 downstate city judges show that the judges spent, on the average, 71 days, or about 1/3 of the court days of the year, in Cook County courts. Five of the 27 judges each spent 200 days or more, or essentially full time, in the Cook County Courts. The Village¹ and Municipal Courts in Cook County are primarily criminal (probably traffic) courts. Most of the downstate city courts are essentially domestic relation courts since 62% of the 2923 cases begun during 1962 and 65% of the 2678 cases disposed of were divorce or separate maintenance actions.

During 1962 the downstate city courts had a combined loss in currency of 93 cases. The Cook County courts involved in this study had a combined loss in currency of 2172 cases. There were 142 jury verdict dispositions, nearly half of which were in Cook County.

¹ It is not yet known what type of cases the newly created village courts will handle.

Table 10
PROCEEDINGS IN THE CITY ETC. COURTS DURING 1962

09

CITY, VILLAGE, TOWN OR MUNICIPAL COURT	Civil and Criminal Cases Pending January 1, 1962	Common Law Suits Filed in 1962	Common Law Suits Disposed of in 1962	Divorce and Separate Maintenance Suits Filed in 1962	Divorce and Separate Maintenance Suits Disposed of in 1962	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, 1962	No. days spent in Cook County courts as visiting judge	No. days spent as visiting judge outside of Cook County
Cook County Circuit																	
Bellwood.....	Newly Created Court																
Blue Island.....	115	28	21	397	377	0	0	0	0	398	0	0	0	0	142	App.	0
															250		
Brookfield.....	Newly Created Court																
Calumet City.....	317	20	18	634	595	0	0	8	9	586	0	36	0	0	357	Full	0
															Time	0	
Chicago Heights.....	191	118	113	368	358	0	0	8	12	106	0	0	0	0	202	47	0
Cicero ¹	782	285	266	381	333	1	0	37	25	511	4	113			862		8
Elmwood Park.....	146	35	43	0	0	0	0	13	7	43	7	0	6,647	6,609	182	53	0
Evanston ¹	2,071	432	346	0	0	0	0	0	0	306	27	13	18,742	18,116	2,783	0	
Forest Park.....	Newly Created Court																
LaGrange Park.....	Newly Created Court																
Lyons.....	Newly Created Court																
Markham.....	Newly Created Court																
Maywood.....	2,612	71	37	27	33	0	0	16	15	85	0	0	3,516	3,111	3,046	216	
Midlothian.....	Newly Created Court																
	0	1	1	0	0	0	0	0	0	1	0	0	20	12	21	0	0
Niles.....	Newly Created Court																
North Riverside.....	Newly Created Court																
Oak Forest.....	Newly Created Court																
Oak Lawn.....	Newly Created Court																
Oak Park.....	550	143	128	0	0	1	1	0	0	119	7	2	7,660	7,365	592	1	0
Skokie ¹	3,474	520	269	28	20	0	0	20	14	270	22	11	18,075	17,580	4,243	8	0
TOTAL.....	10,258	1,653	1,242	1,835	1,716	2	1	102	82	2,425	67	175	54,660	52,793	12,430	575	8
¹ A two-judge court.																	

¹ A two-judge court.

1st Circuit

Carbondale.....	5	13	13	37	29	0	0	0	0	0	0	0	0	0	8	0	12
Eldorado.....	13	0	0	12	16	0	0	0	0	0	0	16	0	0	9	30	65
Harrisburg.....	3	0	0	51	46	0	0	0	0	0	0	0	0	0	8	110	22
Herrin.....	0	0	0	3	3	0	0	0	0	3	0	0	0	0	0	58	5
Johnston City.....	5	0	0	5	9	0	0	0	0	9	0	0	0	0	1	7	0
Marion.....	11	0	0	0	0	1	1	0	0	0	1	0	1	0	10	49	14

TOTAL.....	37	13	13	108	103	1	1	0	0	13	0	17	0	0	36	254	118
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2nd Circuit

Benton.....	1	0	0	5	6	0	0	0	0	2	0	4	0	0	0	110	24
West Frankfort.....	0	0	5	9	13	0	2	0	2	0	0	0	0	0	0	88	28

TOTAL.....	1	0	5	14	19	0	2	0	2	2	0	4	0	0	0	198	52
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3rd Circuit

Alton.....	187	135	155	88	90	8	4	16	25	201	23	50	1	1	160	0	25
Granite City.....	150	90	38	196	158	2	0	42	12	30	11	9	0	0	102	0	6

TOTAL.....	337	225	193	284	248	10	4	58	37	231	34	59	1	1	262	0	31
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4th Circuit

Litchfield.....	1	2	2	51	47	0	0	2	2	51	0	0	0	0	5	0	0
Pana.....	2	2	0	93	76	2	1	3	2	2	0	0	0	0	23	85	22

TOTAL.....	3	4	2	144	123	2	1	5	4	53	0	0	0	0	28	85	22
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5th Circuit

Charleston ²				2	2												
Mattoon.....	60	43	28	123	97	1	1	7	5	71	2	4	1	1	129	230	63

TOTAL.....	60	43	28	125	99	1	1	7	5	71	2	4	1	1	129	230	63
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² This court has been abolished.

Table 10—(Continued)

CITY, VILLAGE, TOWN OR MUNICIPAL COURT	Civil and Criminal Cases Pending January 1, 1962	Common Law Suits Filed in 1962	Common Law Suits Disposed of in 1962	Divorce and Separate Maintenance Suits Filed in 1962	Divorce and Separate Maintenance Suits Disposed of in 1962	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, 1962	No. days spent in Cook County courts as visiting judge	No. days spent as visiting judge outside of Cook County
8th Circuit																	
Beardstown.....	3	3	0	13	14	0	0	0	0		0	0	27	23	9	0	3
9th Circuit																	
Canton.....	App. 107			35	31	2		4	2	33	0	0	0	0	App. 115	App. 200	
13th Circuit																	
Spring Valley.....	0	1	1	5	5	0	0	0	0		0	0	0	0	0	213	2
14th Circuit																	
Kewanee.....	11			49	43	2		3	2	2					20	185	43
Moline.....	102	13	12	235	231	0	1	14	26	248	0	36	4	3	95	0	20
Sterling.....	83	20	13	79	73	4	2	39	38	8	0	30	0	0	77	231	0
TOTAL.....	196	33	25	363	347	6	3	56	66	258	0	66	4	3	192	416	63

16th Circuit

Aurora ¹	216	138	76	218	194	5	3	9	7	77	15	3	0	0	298	200	0
Carpentersville.....	Newly Created Court																
DeKalb.....	11	2	2	26	26										11	30	10
Elgin.....	150	42	23	86	73	0	0	48	61	61	7	51	1	0	178	0	0
TOTAL.....	377	182	101	330	293	5	3	57	68	138	22	54	1	0	487	230	10

19th Circuit

Zion.....	34	3	2	35	52	0	0	2	1	51	0	4	0	0	19	0	4
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20th Circuit

DuQuoin.....	22			3	2		1		3	8		3	1	1	19		
East St. Louis ¹	853	302	338	361	392	4	2	39	7	730	17	4	0	0	827	90	0
TOTAL.....	875	302	338	364	394	4	3	39	10	738	17	7	1	1	846	90	0

DOWNSTATE TOTAL...	2,030	809	708	1,820	1,728	31	18	228	195	1,588	75	215	35	29	2,123	1,916	368
TOTAL FOR STATE....	12,288	2,462	1,950	3,655	3,444	33	19	330	277	4,013	142	390	54,695	52,822	14,553	2,491	376

¹A two-judge court

ASSIGNMENT OF JUDGES

The assignment of judges to jurisdictions other than their own continues to be a thriving and growing business. It should be noted that the assignments mentioned herein include only those made pursuant to orders of the Supreme Court and executed by the Court Administrator. More informal procedures involving Interchange of Judges under section 72.29 of Chapter 37 (Ill. Rev. Stats., 1961) have been in use for some time and are still employed. My office has no record of these interchanges.

Nine circuit judges from Downstate jurisdictions were assigned during 1962 for service in Cook County courts, and six circuit judges were assigned to jurisdictions other than their own in Downstate jurisdictions. Thirteen county judges from Downstate were assigned to Cook County courts in 1962, and two county judges were assigned to serve in Downstate counties other than their own. Relative to circuit and county judges, I do not have a breakdown on the number of days these judges served on assignment.

By far the most extensive services by judges working on assignment were rendered by city, town, village and municipal judges. During 1962 seventeen judges in these classifications from Downstate served in Cook County courts, and seven judges residing in Cook County served in Cook County courts in jurisdictions other than their own. In addition seventeen judges from Downstate served on assignment in Downstate jurisdictions other than their own. One judge in this classification from Cook County served on assignment in a Downstate jurisdiction.

It is when one contemplates the number of days these judges served on assignment that insight is gained on the scope of this phase of judicial service in the State. Judges in these classifications spent a total of 2491 days in court on assignments to Cook County courts during the year 1962, and a total of 376 days in court in jurisdictions Downstate other than their own.

COORDINATOR OF JURY TRIAL SETTINGS

Statistical data have a place in presenting information on the status of litigation in the courts of the State, but they are, at best, only indirect stimuli to the improvement of our procedures. The members of the judiciary

are ever on the alert to discover new or improved approaches to expedite their work. The judges of the Seventh Judicial Circuit have initiated an interesting approach to the problem of jury trial settings. We are indebted to Judge DeWitt S. Crow for the following descriptive statement on procedures in the Circuit Court of Sangamon County.

“Our plan of setting cases for jury trial, 1962 to 1963, originated by the Court notifying in May, 1962, all lawyers having cases in which they desired jury trials and cases in which the issues were made up to submit a list of such cases to the Clerk of the Court on or before June 30, 1962. This resulted in something over one hundred cases being certified that they were ready for trial.

“It was determined by the Court to dispose of these cases in chronological order, the cases bearing the oldest number on the docket to have priority. As these lists were received by the Clerk, individual cards were made up by him, and all of these were turned over to Mr. Alfred Newkirk, an active trial lawyer of the Sangamon County Bar, who was named by the Court as Coordinator of jury trial settings. The cards bearing the names of the cases, number and attorneys involved, were used by the Coordinator in submitting to the Court a setting of twelve cases per week, two weeks out of each month, for September and October, 1962, and two weeks each for January, February, April and May, 1963. Mimeographed copies of complete jury settings for these months were prepared by the Clerk and made available to all lawyers. It was indicated on the setting and ordered that a case set for a particular week in September and October, 1962, and not reached would lapse and be reset in numerical order for two weeks in November, 1962; likewise, all lapsed cases in the January and February setting would be reset for two weeks in March. Likewise, all lapsed cases in April and May would be reset for two weeks in June, 1963.

“A Coordinator’s meeting was set for the Monday preceding the weeks of jury trials in September, at which meeting all lawyers having cases set for the month of September, were directed to appear. At the Coordinator’s meeting the cases set for the month of September were called. If the lawyers answered, “Ready,” then the case was placed on a firm trial setting, and when called for trial it must either be tried, dismissed

or continued on formal motion supported by affidavits, etc. At the Coordinator's meeting those cases which were not ready for trial were placed at the foot of the call. Cases of those lawyers who failed to appear at the Coordinator's meeting were likewise placed at the foot of the call. A similar Coordinator's meeting was held on the Monday preceding the October trials. Immediately following the calling for trial of the last case on the October jury setting, the Coordinator then prepared the November setting from the lapsed cases of September and October.

"On the mimeographed setting for September, 1962, through May, 1963, all cases filed in 1961 and prior years and which the lawyers have indicated a desire for setting were set for trial during that period, and, in addition, a substantial number of cases filed in 1962 were likewise set.

"As additional cases become at issue, the lawyers are certifying the same for trial to the Clerk of the Court, who is presently making up cards for each such case in the order in which the certification is received. It is contemplated that on July 1, 1963, the Coordinator will prepare the settings beginning in September, 1963, and will set such cases by giving first priority to the lapsed cases of November, 1962, March, and June of 1963. The next priority will go to those cases which went to the foot of the call by reason of the lawyers being unprepared when their cases were called at the Coordinator's meeting, or which went to the foot of the call by reason of the lawyers failing to attend the Coordinator's meeting. The next priority will go to the cases certified to the Clerk prior to July 1, 1963, and in the order the certifications are received.

"Some of the results observed are:

"Cases are set for trial far enough in advance that there is little excuse to be unprepared except as the result of emergency, changes in situations, etc. It is believed that the lawyers and their clients and witnesses are better satisfied to have the degree of definiteness as to when the case will come for trial which results from this system.

"With only one or two exceptions, whenever there is a jury available, the Court has had cases ready for trial to make use of such jury. The only occasions in which the Court has 'run out of' cases for trial with a jury

available, have been in those weeks when a substantial number of the cases set were settled. Since this disposes of litigation, there should be no complaint.

“We are now caught up to the place where a definite setting can be obtained approximately nine months after the suit is filed, if the lawyers involved desire such setting.

“In connection with the length of time necessary to obtain a setting, it is believed that the situation can be considerably improved by conducting two sessions of the Circuit Court at the same time. On several occasions, trials of the first case have lasted the entire week, resulting in only one case being disposed of. A second Court operating at the same time could be disposing of other cases on that week’s call.”

PRETRIAL PROCEDURES IN THE EIGHTH JUDICIAL CIRCUIT

The Eighth Judicial Circuit has initiated certain pretrial procedures which have proven to be helpful aids in bringing cases to the point of trial in a minimum amount of time. We are indebted to Judge John T. Reardon of the Eighth Judicial Circuit for a descriptive statement of these procedures. Following Judge Reardon’s statement is a copy of the notice which is sent to each of the attorneys who has matters pending before the court, and a copy of a form which the court completes at the conclusion of each pretrial.

“One of the serious criticisms leveled at courts throughout the land is their eternal slowness. In the Eighth Judicial Circuit in Illinois, particularly in Adams County, it was found that one of the factors that contributed to this delay related to the filing, setting and hearing of motions. When these motions eventually reached the attention of the court it was learned that many of them raised no real legal question. Many motions were designedly dilatory in nature. This was not always true since many of the older attorneys filed motions as a matter of habit. This habit seemed to be contagious, and it became just routine practice for most of the lawyers to file motions directed to the complaint. Sometimes an attorney found himself in a position where he was not prepared to answer. Rather than seek an extension of time to plead he would file a motion, and give little thought to the merits of that motion. In many

instances his nominal client had had his case investigated by an insurance company or their adjusters and the file had not been delivered to the attorney; and the attorney being unwilling to take a definite position with respect to the charges contained in the complaint followed the easy course of making an anaemic motion to slow down the action. Perhaps defendant's counsel were guiltier in contributing to this delay than plaintiff's counsel since defendant would like to put off the day of judgment forever. Many times plaintiff's counsel, who recognized some deficiency in his case, would spar around with the hope of negotiating a favorable settlement prior to trial. As long as this matter is between lawyers and judges it probably creates no serious harm, but when it begins to bog down the courts, prevent the redress of wrongdoing and interfere with the enforcement of a right, a serious question affecting the public is raised. In our circuit we recognized that the delay in the disposition of motions contributed adversely to the image of the courts and the legal profession, and we therefore attempted to devise a system that would eliminate the delays and be fair to litigants and lawyers alike.

"A system of fixing motion days was established. These motion days were set about ten days apart. When the attorney files a motion in the office of the clerk he is personally notified when that motion will be heard. The clerk enters the motion, when it is filed, on a docket for a given "Motion Day". This hearing day will not be less than ten days nor more than twenty days from the date of the filing. Five days in advance of the hearing of the motion the clerk mails to the attorney a postal card which advises the attorney again of the date and hour for the hearing of the motion. Motions are scheduled fifteen minutes apart. At first the attorneys reluctantly departed from their comfortable ways of the past. After some time, however, the attorneys began to embrace the idea, and I believe now feel that they have a professional obligation to proceed with reasonable dispatch. The hearing of these motions is somewhat informal and in many instances takes on the atmosphere of a pretrial hearing. The most helpful result from the use of this system is that it has done away, to a great degree, with the filing of dilatory and frivolous motions. The experience presently is that when motions are filed they generally raise questions of genuine import, and are neither frivolous nor time consuming.

“After the motions are filed and heard, and after the issues are established, every case is pretried. We handle our pretrials as follows: Approximately a month before the trial date a pretrial is held. This hearing of motion or fixing of the pretrial dates is not done at the request of the attorney, but rather is done by the court through the clerk, and the attorney is notified when he is to appear. Frequently it develops that the attorney will learn for the first time at the pretrial some of the real problems that he may not have anticipated in the trial of the case. A recent experience has been that a lawyer learned for the first time, in the pretrial, that he was confronted with the provisions of the Evidence Act which would bar the testimony of what he considered to be an important witness. Upon being convinced of the applicability of Section 2 of the Evidence Act, he had an entirely different idea as to the value of his case. The pretrial is divided into two hearings, the first as I have said, being approximately a month in advance of the trial. This first session does not conclude the pretrial as it is recessed to a specific time about three to four days before actual trial. There are several reasons for this. In many instances the attorney is initially reluctant to be completely candid with his opponent and with the court, since he does not feel the hot breath of trial over his shoulder. However, when the pretrial is resumed some three to four days preceding trial, he experiences the realization that the day of judgment is nigh. In addition to this it frequently occurs at the original pretrial that the attorney finds out for the first time some of his real problems in connection with an adequate presentation of his case, and when he returns to the second session of the pretrial he is in a conciliatory mood which is most conducive to either a fair disposition of his case or a willingness to stipulate as to matters of proof. This scheme may sound shallow, but it is amazing how many attorneys frequently misapprehend the real problems implicit in the prosecution of their case. These procedures are not panaceas but at least it can be said that this system has proved to be extremely salutary in the Eighth Judicial Circuit of Illinois.”

ADAMS COUNTY JURY TRIALS

Monday, May 13, 1963—9:00 a.m.

- 62-147 Merle J. Wittler vs. Mary Evelyn Sutton
- 61-364 Russell W. Pipe, et al vs. H. Dean Foreman
- 59-207 Thos. H. Beale, et al vs. Diamond Const. Co.
- 61-191 Black-White Limestone Co., etc. vs. Norman Bros., Inc., etc.
- 61-327 Samuel G. Jenkins, et al vs. John Kuhn, et al
- 61-332 Courtney F. Stephens vs. Russell Johnson, et al
- 61-378 Gerald H. Pettit, etc. vs. Blaine Saxton, etc.
- 62-15 Gerald Woodward, et al vs. George Hagenah, et al

Monday, June 17, 1963—9:00 a.m.

- 62-16 William F. Lilley, et al vs. George Hagenah, et al
- 62-158 Hobart Gibson vs. Walter Inman, et al
- 62-228 Roland L. Jones, et al vs. Arlyn Voorhis
- 62-286 Helen Louise Wells vs. George Spilker
- 62-300 Naida Hamann, et al vs. Ronald Frank Woerman
- 62-318 Lawrence J. Zimmerman vs. Virginia M. Howe
- 62-379 Wanda Davis, et al vs. Thomas D. Hickey, et al
- 62-394 H. C. Blanchard, Inc., etc. vs. Maurice L. Green, etc.

JURY PRETRIAL CONFERENCE CALENDAR

Wednesday, May 1, 1963

10:00	62-147	Wittler vs. Sutton
10:30	61-364	Pipe vs. Foreman
11:00	59-207	Beale vs. Diamond Const. Co.
1:30	61-191	Black-White Limestone vs. Norman Bros.
2:00	61-327	Jenkins vs. Kuhn

Thursday, May 2, 1963

9:30	61-332	Stephens vs. Johnson
10:00	63-116	Milbert vs. Milbert
10:30	61-378	Pettit vs. Saxton
11:00	62-15	Woodward vs. Hagenah

Monday, June 10, 1963

10:00	62-16	Lilley vs. Hagenah
10:30	62-158	Gibson vs. Inman
1:30	62-228	Jones vs. Voorhis
2:00	62-286	Wells vs. Spilker

Tuesday, June 11, 1963

10:00	62-300	Hamann vs. Woerman
10:30	62-318	Zimmerman vs. Howe
11:00	62-379	Davis vs. Hickey
1:30	62-394	Blanchard vs. Green

Note: Please have all attorneys in your office check all settings listed above, as this may be the only notice given. Please advise by return mail if you have any definite conflicts.

JOHN T. REARDON

**IN THE CIRCUIT COURT
STATE OF ILLINOIS**

..... Plaintiff(s) vs. Defendant(s)	} } } }	No. PRE-TRIAL ORDER
---	------------------	------------------------------------

Pre-trial conference before John T. Reardon, Circuit
Judge on

Appearances for Plaintiff(s)

.....

Appearances for Defendant(s)

.....

1. Jurisdiction was conceded by counsel and found by the Court to be present. (If otherwise, strike out foregoing.)

2. In general, the plaintiff(s) claim:

3. In general, the Defendant(s) claim:

4. The following facts were established by admission in the pleadings or by stipulations of counsel at the pre-trial conference:

5. The contested issues of fact are:

6. The contested issues of law, in addition to those implicit in the foregoing issues of fact, are: (Or) There were no special issues of law reserved other than such as are implicit in the foregoing issues of fact.

7. There were received in evidence:

(A) Plaintiff's exhibits:

(B) Defendant's exhibits:

(C) Except as otherwise indicated, the authenticity of received exhibits has been stipulated but they have been received subject to objections, if any, by the opposing party at the trial as to their relevancy and materiality.

8. If the case is to be tried by a jury, it is directed instructions be submitted to the Court at the commencement of the case, subject to the right of counsel to supplement such requests during the course of the trial on matters that cannot reasonably be anticipated.

9. The following additional matters to aid in the disposition of the action were determined:

10. This pre-trial order has been formulated after conference at which counsel for the respective parties have appeared. Reasonable opportunity has been afforded counsel for corrections or additions prior to signing by the Court. Hereafter, this order will control the course of the trial and may not be amended except by consent of the parties and the Court or by order of the Court to prevent manifest injustice. The pleadings will be deemed merged herein. In the event of ambiguity in any provision of this order, reference may be made to the record of this conference to the extent reported by stenographic notes, and to the pleadings.

11. Possibility of settlement of this case was considered:

12. The probable length of the trial of this case is
..... days. The case was set down for trial (with)
(without) a jury on at
..... o'clock .. M. (Or) No definite setting was
made, but it is estimated that the case will be reached for
trial about

Dated this day of 19

.....
Judge of the Circuit Court

Approved:

.....
Counsel for Plaintiffs

.....
Counsel for Defendants

June 25, 1963

Respectfully submitted,

Albert J. Harro

REPORT BY JOHN C. FITZGERALD,

Deputy Court Administrator for Cook County

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

It is my privilege to report herein on the administration of justice in Cook County as related to this office.

The subject of the report this year, as last year, is the processing of law jury cases by the law jury trial judges of the Circuit-Superior Courts of Cook County. The report does not contain a statistical profile of the many courts of the County or discuss the impact of the new Judicial Article. The exclusion of such important topics requires explanation. As for a statistical profile, through the vehicle of a Monthly Bulletin this office supplies the judges of Cook County, the members of the Supreme Court, and others, with the statistics for the preceding month, a monthly inventory, of the Circuit, Superior, Family and Criminal Courts of Cook County as well as the Municipal Court of Chicago. It will avoid a duplication of this service, and of the State-wide annual tabulations of Dean Harno, to emphasize in this report the processing of law jury cases through the trial judge statistics not carried in the regular Monthly Bulletins of this office. They bear so intimately upon the program to reduce the backlog of law jury cases pending in the Circuit-Superior Courts of Cook County that it seems warranted again to use the medium of this report for the purpose of placing them before you.

The most important event of the past year was the adoption of the new Judicial Article. It brings into existence on January 1, 1964, the largest single court in the history of the nation, if not of the world. The new Circuit Court of Cook County, one County-wide State Court, will have 138 judges, and the number of magistrates determined by the General Assembly, to administer justice to a metropolitan community of over 5,000,000. The proposed internal organization of the new Circuit Court, the related construction of the new Civic Center Courthouse, and the implementation generally of the new Judicial Article, as well as the operation of Rule 17-2 of the Illinois Supreme Court (Impartial Medical Experts), will be described by committees pri-

marily concerned with these matters reporting to the Tenth Annual Illinois Judicial Conference on June 6th and 7th and will not be discussed in this report. The committees will speak for themselves. The omission of these materials also furthers the purpose of accentuating in this report the heart of the Cook County problem, the processing of law jury cases.

EARLIER REPORTS AND RECOMMENDATIONS

Three earlier similiar reports, of January 1960, June 1961 and June 1962, stressed as the most urgent problem in the administration of justice in Cook County the accumulation of the inherited backlog of law jury cases in the Circuit and Superior Courts coupled with the inability of the two courts to break even with the current intake of law jury filings. In these reports and in an article entitled "The Problem of Delay in the Courts: Cook County"¹ the history of the problem was outlined in detail, competing suggestions for relief were evaluated, and the conclusion reached that the positive way to currency within our time, and within the traditional judge-jury adversary system, was to enlarge substantially, and organize more tightly, the law jury division. Measured by the productivity of the two courts in the past, a permanent law jury division of not less than 35 resident judges was recommended to meet the current intake of law jury cases, and ten additional courtrooms manned by visiting judges were recommended as a temporary means to roll back the accumulated backlog. The additional resident judgeships needed for the program were provided for by the General Assembly in 1961 and were elected to the Superior Court of Cook County in November 1962.

DIMENSIONS OF THE LAW JURY PROBLEM IN THE CIRCUIT-SUPERIOR COURTS OF COOK COUNTY

As background for the description of the processing of law jury cases by law jury trial judges, the dimensions of the law jury problem may be reviewed. For that purpose there follow two sets of tabulations, taken from the regular Monthly Bulletins of this office, the first set show-

¹ University of Illinois Law Forum, Vol. 1962, Summer, Number 2, pages 137-151.

ing the various categories of civil cases pending in the Circuit-Superior Courts as of March 31, 1962 and as of March 31, 1963, and the second set showing a classification by year of filing of the law jury cases pending in the two courts on the same two dates:

All Civil Cases Pending in the Circuit-Superior Courts of Cook County

	On March 31, 1962	On March 31, 1963	Increase
Law Jury	43,477	46,009	2,532
Law Non-Jury	8,131	8,859	728
Chancery	2,670	3,174	504
Divorce	7,039	7,532	493
Tax	8,328	9,113	785
Total	69,645	74,687	5,042

A Classification by Year of Filing of Law Jury Cases Pending in the Circuit-Superior Courts of Cook County

Year of Filing	Pending on March 31, 1962	Pending on March 31, 1963
1955 and prior	933	166
During 1956	3,220	995
During 1957	4,452	3,222
During 1958	5,115	4,351
During 1959	6,578	5,408
During 1960	8,214	6,685
During 1961	11,470	9,582
During 1962	3,495	12,284
During 1963		3,316
Total	43,477	46,009

The above tabulations show the two courts continuing to be reasonably current in all categories of civil cases except that of law jury and show the accumulated backlog of the law jury cases continuing to present a massive problem.

RESPONSIBILITY FOR THE MOVEMENT OF CASES

The unavoidable need of focusing attention on the continuing problem of the law jury backlog tends to obscure the favorable fact that the two courts do maintain relative currency in all categories of cases except that of law jury. Subject to a constitutional structure permitting necessary changes, to adequate judicial personnel, and to adequate physical facilities, the judges are

primarily responsible for the movement of cases. That the movement of cases requires the cooperation of the trial bar does not diminish, but rather increases, the responsibility of the judges. The voters have now provided the needed constitutional structure; the legislature has provided, and is in the process of providing, the necessary judicial personnel, the local community has provided the necessary physical facilities through the temporary facilities at One North Wacker Drive and the new Civic Center Courthouse for which ground has been broken. What remains to be done, must be done by the judges. Hence the emphasis again in this report on the heart of the matter, the processing of law jury cases by the law jury judges. The community interest will not abate until currency is attained in all categories; the primary responsibility for the movement of cases is on the courts and the matter cannot rest until the courts have solved the problem. Attention must continue to be focused on the problem.

PROGRESS IN THE SOLUTION OF THE PROBLEM

What progress has been made on the solution of this problem? Following the adoption of the new Judicial Article last November and the induction of the 17 new Superior Court judges last December, the Circuit and Superior Courts, under the guidance of a committee of Circuit and Superior Court judges appointed by the Supreme Court, assigned additional judges to the law jury trial division and started the process of adjusting the operation of the central assignment system to carry the increased load. As stated above, the history and details of these changes will be set out in reports made to the Judicial Conference this June. Changes in the processing of law jury cases are reflected in the Monthly Reports of Law Jury Trial Judges for the quarter year of January through March 1963, however, and to this limited extent progress in the program will be reflected in this report.

THE PROCESSING OF LAW JURY CASES BY THE LAW JURY TRIAL JUDGES

The tabulations below, describing statistically the work of the law jury trial judges of the Circuit-Superior Courts, are based upon monthly reports made by the trial judges. The Supreme Court first authorized this pro-

cedure in September 1960. It was described in the June 1962 report to you under the title of "A Norm of Judicial Productivity". It has since evolved with increasing precision because of the suggestions and generous cooperation of the trial judges. It has now reached a point of accuracy and definition making meaningful comparisons possible. There follow four tabulations, based upon the Monthly Reports of Law Jury Trial Judges, the first covering the Court Year of September 1960 through June 1961, the second covering the Court Year of September 1961 through June 1962, the third covering the three month period of January through March 1963 (after the start of the program to reduce the law jury backlog by the assignment of additional judges to the Law Jury Trial Division and the making of changes in the central assignment system) and the fourth a projection of the third to a ten month period.

Several caveats must be entered concerning these tabulations. They do not describe the processing of all law jury cases by all the judges. They describe merely the processing of the law jury cases assigned out for trial to resident judges. The limitation is not in disparagement of the work of the judges both resident and visiting who serve as pre-trial, motion, or assignment judges within the entire complex of judges engaged in some facet of law jury processing. But in any program for permanent relief of the law jury congestion problem the most important factor is the productivity of the resident law jury trial judges. The measurement of judge time required for the processing of law jury cases is the basis for the determination of the number of permanent resident judges needed for the program. By harnessing the projection of the needs of the future to the performance of the past, accuracy is increased. Hence the tabulations are limited to the productivity of the resident trial judges. The limitation of the tabulations to the productivity of resident trial judges has another purpose. It focuses attention upon the lack of continuity of service of the resident judges assigned to the task of trying law jury cases. In 1960-1961 there were only ten resident judges whose service in the law jury trial division was not substantially interrupted; in 1961-1962 only nine; and in the period of January through March of 1963, under the substantially expanded law jury division, only twenty-three. Elsewhere an attempt was made to list the reasons

for the subordination in value of law jury work.² At the moment it is merely noted that the isolation of the statistics of the resident trial judges serves the purpose of emphasizing the extent to which the service of the judicial task force assigned to the trial of law jury cases was substantially interrupted. Whether the interruptions were due to reassignment to other judicial tasks, disabling illnesses, or vacations, is beside the point.

An additional caveat. The present state of development of judicial statistics does not warrant easy comparison of statistics on the processing of law jury cases emanating from different areas, metropolitan or otherwise. Each set is the product of judge-lawyer traditions, practices, and attitudes indigenous to an area. Even basic terms are frequently used with quite variant meanings. As accurate and meaningful as the tabulations below may be to Cook County, it is not suggested that they necessarily have any relevancy elsewhere.

Finally, the caveat unnecessary in a report addressed to judges. These are merely statistics. They are essential. They fence in the area of permissible debate. They provide a basis for recurring appraisals of the need for additional judges. They provide a norm of judicial productivity. They aid courts to serve the common good. But they are merely statistics. They measure quantity and not quality. They are stressed at the present time because the quality of justice is strained by delay, and these statistics point the way to currency.

² Supra note (1) at 140-141.

**THREE TABULATIONS OF THE LAW JURY
RECORD OF RESIDENT JUDGES WHOSE
LAW JURY TRIAL SERVICE WAS NOT
SUBSTANTIALLY INTERRUPTED FOR
THE PERIOD INDICIATED:**

I

**For the Jury Court Year of September 1960 through
June, 1961—10 Resident Trial Judges**

	Verdicts	Jury Settlements and Mistrials	Law Jury Dispositions	Law Jury Days	Other*
Total	179	136	802	909	3,878
Maximum	40	37	123	198	657
Minimum	9	6	44	47	118
Average	17.9	13.6	80.2	90.9	327

(Total law jury terminations by all the judges during the same period=8,809 cases)

II

**For the Jury Court Year of September, 1961 through
June, 1962—9 Resident Trial Judges**

	Verdicts	Settled without use of jury	Settled during selection of jury	Settled after selection of jury	Mistrials	Total cases termi- nated	Total cases processed	Law jury days	Other*
Total	217	539	48	163	15	967	982	1,089.5	2,912
Maximum..	41	80	26	37	5	167	169	170	581
Minimum..	13	40	0	6	0	73	76	92	115
Average...	24.1	59.9	5.3	18.1	1.7	107.4	109.1	121.1	323.6

(Total law jury terminations by all the judges during the same period=11,029 cases)

III

**For the Three Months of January through
March, 1963—23 Resident Trial Judges**

	Verdicts	Settled without use of jury	Settled during selection of jury	Settled after selection of jury	Mistrials	Total cases termi- nated	Total cases processed	Law jury days	Other*
Total	203	407	32	102	20	744	764	845.5	1,945
Maximum..	20	51	7	12	5	83	83	55	202
Minimum..	2	4	0	0	0	17	17	17.5	18
Average...	8.8	17.7	1.4	4.4	.9	32.4	32.3	36.8	84.6

(Total law jury terminations by all the judges during the same period=4,016 cases)

IV

PROJECTION OF BASIC ELEMENTS OF III TO A TEN MONTH JURY COURT YEAR (AND COM- PARING THE PROJECTED FIGURES WITH THE COMPARABLE BASIC ELEMENTS FROM THE EARLIER PERIODS)

Per Judge Averages—(Law Jury Trial Judges Only)

	Verdicts	Total law jury cases terminated	Law jury days
1960-1961 (10 resident trial judges).....	17.9	80.2	90.9
1961-1962 (9 resident trial judges).....	24.1	107.4	121.1
10 month projection of January-March 1963 (23 resident trial judges).....	29	106.9	121.4

* Other terminations (including default divorces) and other judicial services.

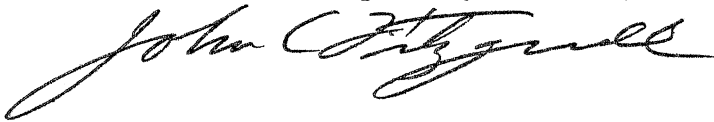
It is, of course, too early to predict the exact effect current changes will have as the Court Year progresses. The attack has been mounted on the principle of erecting a substantially expanded and more tightly organized law jury division so that more cases will be assigned out for trial and more cases will be tried to verdict. If 23 resident judges do average 29 verdicts in a ten month jury Court Year, then obviously the campaign is succeeding to some extent. The extent of the changes and the exact measure of success will appear in the committee reports to the Judicial Conference. The above tabulations spread the facts on the table merely as of the date of the preparation of this report in mid-April. The important questions must be left unanswered. Are jury cases to be processed in the future on the formula of per trial judge averages of 30 verdicts, about 100 terminations, and about 120 law jury days? Or will the averages increase by diminishing the gap between the minimal and the averages? Will the number of resident judges whose law jury service is not substantially interfered with approach 30? And most importantly, to what extent will the traditional ratio between verdicts and total terminations change as the program advances?

May I emphasize again that the above tabulations concern merely the heart of the problem, the processing of the hard core of cases that survive preliminary processes and are assigned out for trial to the resident trial judges? They do not measure the total law jury terminations produced by the total effort of all judges par-

ticipating both resident and visiting. The heavy emphasis in the report this year and last year on one facet of the problem is in the conviction that the solution of the problem, as stated above, starts and ends with that facet, the productivity of the resident law jury trial judges. It is this aspect of the program which needs to be placed upon the table before you at this time and is herein and hereby.

Finally, may I again record my gratitude to the judges, the clerks, and the lawyers whose cooperation is indispensable - - - and to an indispensable staff of two.

Respectfully submitted,

A handwritten signature in cursive script, reading "John C. Fitzgerald". The signature is written in dark ink and is positioned below the "Respectfully submitted," text.

JCF:ck

