

Understanding Your Court System



An Informational Guidebook
to the
Nineteenth Judicial Circuit

Provided by the Judges of the Nineteenth Judicial Circuit of
Lake County, Illinois

Produced by the Administrative Office of the Nineteenth Judicial Circuit





A Message from the Circuit Judges of the Nineteenth Judicial Circuit

We in the United States are blessed to have a judicial system founded upon democratic principle. Our system of justice provides us with a peaceful and orderly method to resolve civil disputes, adjudicate criminal cases, impose punishment upon the guilty, and protect civil rights. The judges who hear cases bear the awesome duty to uphold the Constitution of the United States and the Constitution of the State of Illinois and to interpret and enforce our laws in individual cases.

To meet the responsibilities imposed upon the court system, the judges and staff of the Nineteenth Judicial Circuit Court, Lake County, are committed to maintaining a court system that meets the highest standards of judicial performance. We endeavor to process cases in a timely and expeditious fashion; we pledge to reach decisions in a fair and just manner; and we strive to maintain our independence while remaining accessible and accountable to those we serve.

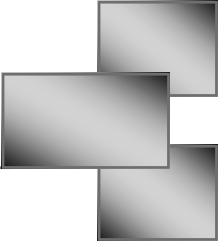
A well informed public is essential to keeping our court system strong. The purpose of this booklet is to provide you with information about how our courts work and to give you an understanding of the duties and responsibilities of those who work in the court system. We hope that the information in this booklet will promote a better understanding of the court system and will inspire a greater public trust and confidence in the work of the judiciary.

It is the goal of those who work in the court system to provide the residents of Lake County with one of the best court systems in the country.

CIRCUIT JUDGES OF LAKE COUNTY, ILLINOIS

*JAMES K. BOORAS
VALERIE BOETTLE CECKOWSKI
FRED FOREMAN
DAVID M. HALL
RAYMOND J. MCKOSKI
MARGARET J. MULLEN
JORGE L. ORTIZ
JOHN T. PHILLIPS
VICTORIA A. ROSSETTI
CHRISTOPHER C. STARCK
JAY W. UKENA
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Introduction



Laws affect our lives every day. The more we understand them, the better we can function as law-abiding citizens. Laws can protect your rights and courts can enforce your responsibilities. There are many reasons why you may be required to appear in court. Some of these circumstances may include:

- ❖ you want to be married by a judge
- ❖ you are a party to a lawsuit
- ❖ you are a witness to an accident or to a crime
- ❖ you are accused of committing a criminal offense
- ❖ you are a victim of a crime
- ❖ you are summoned to be a juror

This handbook was prepared to assist you in better understanding the Illinois judicial system, a system designed and maintained in order to protect your rights.

In the pages ahead you will discover:

- ❖ an overview of your state court system and its jurisdiction
- ❖ a directory of the officers of the court in the Nineteenth Judicial Circuit
- ❖ an in-depth view of the court operations in Lake County
- ❖ a glossary of terms commonly used in the court system

Since federal courts are an entirely different judicial system from state courts, they will not be included in this handbook, though many of the words found in the glossary section of this handbook apply to both systems.

Most state proceedings are open to the public and citizens are invited and encouraged to observe these court hearings. For more information about the court system, or a specific law related subject, schools, organizations, etc. are invited to visit our website located at <http://19thcircuitcourt.state.il.us>. You may also request additional information by calling 847.377.3600. We hope that you find this book informative and helpful.

The Supreme Court

The Illinois Supreme Court is the highest court in the state. Cases are normally channeled to the Supreme Court from the Appellate Court, but in cases where a Circuit Court has imposed a sentence of death, the law provides for direct appeal to the Supreme Court. The Supreme Court may provide by rule for direct appeal in other cases.

Under Illinois law, the Supreme Court has original and exclusive jurisdiction in matters involving legislative redistricting and in determining the ability of the Governor to serve in office. The Supreme Court also has discretionary original jurisdiction in cases relating to state revenue, and writs of mandamus, prohibition or habeas corpus.

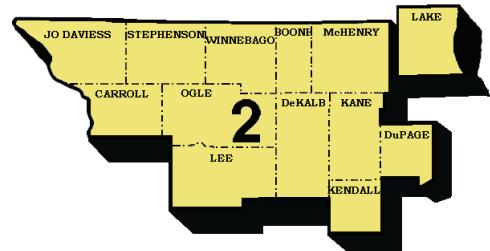
The Illinois Supreme Court is comprised of seven justices: three elected from the First Judicial District (Cook County) and one elected from each of the remaining four Judicial Districts. In the Supreme Court, a majority vote of four is required to decide a case.

The Appellate Court

The Illinois Constitution provides for an Illinois Appellate Court, which is divided into five Judicial Districts.

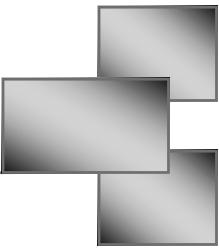
Cook County comprises the entire First Judicial District, with the rest of the State being divided into the remaining four Judicial Districts of “substantially equal population, each of which shall be compact and composed of contiguous counties.” The Nineteenth Judicial Circuit and five other circuits comprise the Second Judicial District of the Appellate Court.

Any person has a right to appeal a decision of the Circuit Court to the Appellate Court. Attorneys present arguments before the Appellate Court as to whether an error in the application of the law had been made in the trial court. They do not retry the facts of the original trial. Three judges hear an appellate case, and a majority vote of two is requested to decide the case.



The Appellate Court affirms the trial court decision if it finds there has been no error committed in the application of the law, or if the error was so minimal that it made little difference in the outcome of the trial. The Appellate Court may reverse or remand the trial court decision if there has been substantive error in the application of the law. In this instance, the Appellate Court sends the case back to the Circuit Court with instructions for further action.

Court Organization



The Circuit Court

The State of Illinois is divided into twenty-three judicial circuits. Each judicial circuit is composed of one or more counties. Circuit Courts, also known as trial courts, are established within each judicial circuit. Lake County comprises the Nineteenth Judicial Circuit.

Circuit Courts are courts of general jurisdiction. This means they have original jurisdiction in all matters except those certain limited situations where the Supreme Court has original jurisdiction, such as redistricting and whether the Governor may stay in or enter office.

The trial courts hear two types of cases: civil and criminal. A civil case is one, for example, involving a disagreement between two people; between people and companies; or between people and government agencies. Either a judge alone (bench trial) or a judge and jury (jury trial) will hear the case and reach a decision based on the facts that are presented. Examples of civil lawsuits include damage to property; personal injury; divorce; or breach of a written or oral contract. Monetary considerations to be paid for these damages are determined by the judge or jury.

A criminal case is one where an individual is charged with committing a crime. The state or federal government brings this action against the individual, and these cases may be tried as bench trials or as jury trials. Persons found guilty in a criminal case may be required to pay a fine; repay those who have been victims; and/or spend time in prison. Examples of criminal offenses include arson; assault; burglary; fraud; murder; and selling or using illegal drugs.

Decisions reached in the trial courts may be appealed to the Appellate Court or the Supreme Court depending upon the nature of the case. No judge of the Circuit Court has the power to review or change the decision of another.

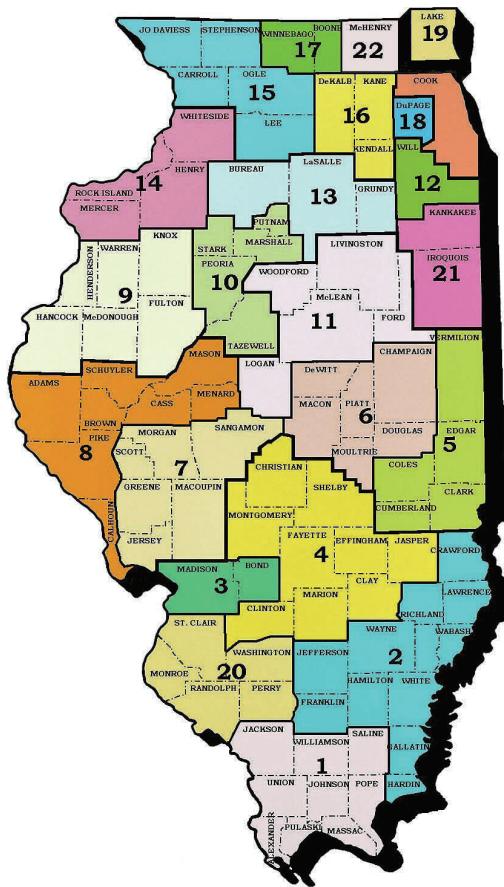
There are two classifications of judges in the Circuit Court: Circuit Judges and Associate Judges. All judges must be licensed attorneys and are considered officials of this state. The Supreme Court can assign Circuit and Associate Judges to hear all types of cases in any county in the state.

Circuit Judges are initially elected for a six-year term, either on a circuit-wide basis or from the county where they reside or from a subcircuit within a county, depending on the type of vacancy they are filling. Thereafter, every six years they must run circuit-wide for retention. Annually, the Circuit Judges elect a Chief Judge who provides administrative guidance to the entire circuit.

The Circuit Judges appoint Associate Judges on a merit basis for a four-year term. Thereafter, the Circuit Judges consider them for reappointment every four years. Associate Judges may hear all types of cases but must obtain special authorization from the Supreme Court to handle felony cases.

Court Organization

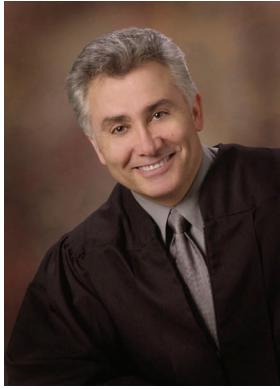
The Circuit Court is part of the judicial branch of government. Financing is provided from three sources: State funding finances the Mandatory Arbitration Program and salaries and benefits of judges and court reporters. The State provides reimbursement to the counties to offset the costs of several Probation Department salaries. County revenues provide for all other financing of the Circuit Court. In order to maintain a productive organization, the judges and their staff work closely with the County Board and County Administrator's Office, in the areas of automation, personnel management, budgeting, purchasing and building maintenance.



Illinois Judicial Circuits

Circuit Courts	Counties Served
Cook County	Cook
First Judicial Circuit	Williamson, Alexander, Jackson, Johnson, Massac, Saline, Pope, Pulaski and Union
Second Judicial Circuit	Jefferson, Crawford, Edwards, Franklin, Gallatin, Hamilton, Hardin, Lawrence, Richland, Wabash, Wayne and White
Third Judicial Circuit	Madison and Bond
Fourth Judicial Circuit	Montgomery, Christian, Clay, Clinton, Effingham, Fayette, Jasper, Marion and Shelby
Fifth Judicial Circuit	Edgar, Clark, Coles, Cumberland and Vermilion
Sixth Judicial Circuit	Piatt, Champaign, DeWitt, Douglas, Macon and Moultrie
Seventh Judicial Circuit	Sangamon, Greene, Jersey, Macoupin, Morgan and Scott
Eighth Judicial Circuit	Adams, Brown, Calhoun, Cass, Mason, Menard, Pike and Schuyler
Ninth Judicial Circuit	McDonough, Fulton, Hancock, Henderson, Knox and Warren
Tenth Judicial Circuit	Peoria, Marshall, Putnam, Stark and Tazewell
Eleventh Judicial Circuit	McLean, Ford, Livingston, Logan and Woodford
Twelfth Judicial Circuit	Will
Thirteenth Judicial Circuit	LaSalle, Bureau and Grundy
Fourteenth Judicial Circuit	Rock Island, Henry, Mercer and Whiteside
Fifteenth Judicial Circuit	Carroll, Jo Daviess, Ogle, Lee and Stephenson
Sixteenth Judicial Circuit	Kane, DeKalb and Kendall
Seventeenth Judicial Circuit	Winnebago and Boone
Eighteenth Judicial Circuit	DuPage
Nineteenth Judicial Circuit	Lake
Twentieth Judicial Circuit	St. Claire, Monroe, Washington, Perry and Randolph
Twenty-first Judicial Circuit	Kankakee and Iroquois
Twenty-second Judicial Circuit	McHenry

Circuit Judges



Judge James K. Booras

Born January 1, 1952 in Nestani-Tripolis, Greece, Judge Booras graduated from high school in 1970 in Greece. He earned a Bachelor of Science degree from Northern Illinois University in 1975 and a Juris Doctor degree from Lewis University College of Law in 1979.

Admitted to practice in 1979, he was appointed Associate Judge in March, 1991. Judge Booras was appointed Circuit Judge by the Illinois Supreme Court in August, 2000. He was elected Circuit Judge in the 2002 general election and took his oath of office on December 2, 2002. Judge Booras was elected Chief Judge in May 2008 and re-elected as Chief Judge for a one year term from December 1, 2008 to November 30, 2009.



Judge Valerie Boettle

Ceckowski

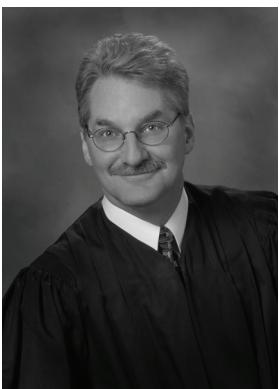
Born January 11, 1959 in Waukegan, Judge Ceckowski graduated from Warren Township High School. She received her Bachelor of Science degree graduating with honors from Southern Illinois University in 1980. In 1983, Judge Ceckowski earned her Juris Doctor degree from Southern Illinois University School of Law. Admitted to the Illinois Bar in 1983, she was appointed Associate Judge in 1997. In February 2007, the Illinois Supreme Court appointed her as Circuit Judge. Judge Ceckowski was elected Circuit Judge in the 2008 general election and took her oath of office on December 1, 2008.



Judge Fred Foreman

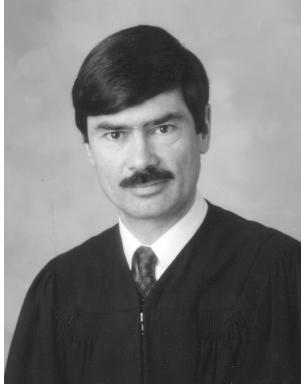
Born August 22, 1948 in Oak Park, Illinois, Judge Foreman graduated from Warren Township High School in 1966. He received his Bachelor of Science and Bachelor of Arts degrees from Carroll College in 1970 and earned his Juris Doctor degree from John Marshall Law

School in 1974. Admitted to practice in 1974, he served as the Lake County State's Attorney from 1980 until 1990. He served as U.S. Attorney for the Northern District of Illinois from 1990 until 1993. Judge Foreman was elected Circuit Judge in the 2004 general election and took his oath of office on December 6, 2004.



Judge David M. Hall

Born October 18, 1952 in Racine, Wisconsin, Judge Hall graduated from Waukegan Township High School in 1970. He attended Carthage College and earned a Bachelor of Arts degree in 1973. In 1976, Judge Hall obtained his Juris Doctor degree from Loyola University in New Orleans. Admitted to practice in April, 1976, he was appointed Associate Judge in April, 1989. Appointed Circuit Judge by the Illinois Supreme Court in March 2000, Judge Hall was elected Circuit Judge in the 2000 general election and took his oath of office on December 4, 2000. He served as Chief Judge from December 1, 2007 to May 8, 2008.

***Judge******Raymond J. McKoski***

Born October 23, 1947, Judge McKoski graduated from Fenton High School in 1965. He attended North Central College and obtained a Bachelor of Arts degree in 1969. Judge McKoski attended DePaul University College of Law

and received his Juris Doctor degree, summa cum laude, in 1972. Admitted to practice in 1972, he served as an Assistant State's Attorney General and Assistant State's Attorney until his appointment as Associate Judge on February 1, 1985. Appointed Circuit Judge by the Illinois Supreme Court in December 1991, Judge McKoski was elected Circuit Judge in the 1992 general election and took his oath of office on December 7, 1992. He was elected Chief Judge and served from December 1, 1996 to November 30, 1998.

***Judge Jorge L. Ortiz***

Born September 24, 1962 in Chicago, Illinois, Judge Ortiz graduated from St. Ignatius High School in 1980. In 1985 he earned a Bachelor of Arts degree from Loyola University and in 1989 he received his Juris Doctor degree from John Marshall

Law School. Admitted to practice in 1990, Judge Ortiz was appointed Associate Judge on December 2, 2002. The Illinois Supreme Court appointed him Circuit Judge on August 25, 2008.

Judge Margaret J. Mullen

Born December 3, 1955, Judge Mullen graduated from Woodland Academy in 1973. She graduated from Illinois State University in 1977. Judge Mullen attended the John Marshall Law School and served on the Editorial Board for its Law Review, graduating with honors in 1980. She was appointed Associate Judge on March 1, 1992 and was appointed by the Supreme Court to the office of Circuit Judge on December 15, 1997. She was elected to that office in the 1998 general election and took her oath of office on December 1, 1998. Judge Mullen was elected Chief Judge, serving from December 1, 2002 to November 30, 2004.

***Judge John T. Phillips***

Born July 2, 1947, Judge Phillips graduated from East Leyden High School in Franklin Park. He attended Coe College in Cedar Rapids where he received his Bachelor of Arts degree in 1969. He earned his Juris Doctor degree with distinction from the University of Iowa College of Law in June 1972. He retired as a lieutenant colonel from military service in 1997 after 28 years with the United States Air Force and Air Force Reserve where he spent most of his time serving as a judge advocate. In 1993, Judge Phillips was appointed Associate Judge. John Phillips was elected Circuit Judge in the 2006 general election and took his oath of office on December 4, 2006.



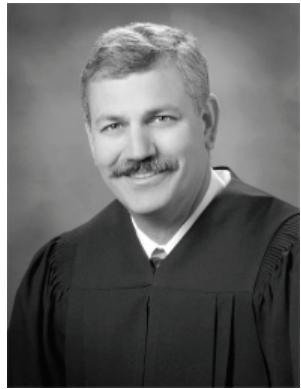
Circuit Judges



Judge Victoria A. Rossetti

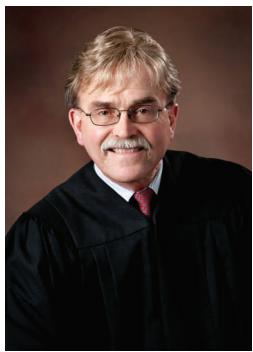
Born September 24, 1952 in Chicago, Illinois, Judge Rossetti graduated from Regina Dominican High School, Wilmette, in 1976. Judge Rossetti attended Louis University, Missouri and obtained a Bachelor of Arts degree in 1974 and a Masters Degree in Social

Work in 1979. She earned her Juris Doctor degree from Lewis University College of Law in 1979. Admitted to practice in 1979, she was appointed Associate Judge in June 1990. Appointed by the Supreme Court to the office of Circuit Judge on December 2, 2002, Judge Rossetti was elected Circuit Judge in the 2004 general election and took her oath of office on December 6, 2004.



Judge Christopher C. Starck

Born May 6, 1954 in Chicago, Illinois, Judge Starck graduated from Deerfield High School in 1972. He earned a Bachelor of Science degree in 1976 from Carroll College in Waukesha. He attended Loyola University School of Law and received his Juris Doctor degree in 1979. Admitted to practice in 1979, he was appointed Associate Judge in April, 1989. Appointed Circuit Judge by the Illinois Supreme Court in March 2000, Judge Starck was elected in the November 2002 general election. He was elected Chief Judge serving from December 1, 2004 to November 30, 2006. In April 2006, he was elected to a third year as Chief Judge thereby extending his term to November 30, 2007.



Judge Jay W. Ukena

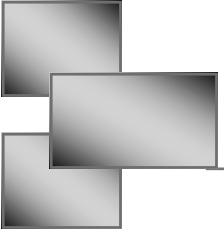
Born May 7, 1947 in St. Johns, Michigan, Judge Ukena graduated from Northwest Classen High School in Oklahoma City in 1965. He earned a Bachelor of Arts degree in 1969 from Lake Forest College and earned his Juris Doctor degree from John

Marshall Law School in 1979. Admitted into practice in 1979, he was elected Circuit Judge in the 2008 general election and took his oath of office on December 1, 2008.



Judge Diane E. Winter

Born January 15, 1956 in Geneva, Illinois, Judge Winter graduated from Glenbard North High School in 1974. She attended DePaul University where she received a Bachelor of Science degree in 1978. She earned a Juris Doctor degree from Northern Illinois University College of Law in 1981. Admitted to practice in 1981, she was appointed Associate Judge on July 7, 2000. Judge Winter was appointed Circuit Judge by the Illinois Supreme Court on December 1, 2008.



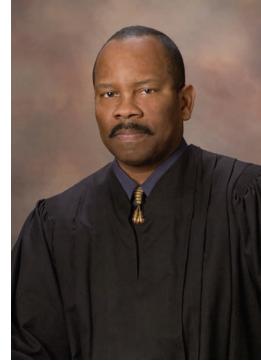
Associate Judges



Luis A. Berrones
Appointed October 29, 2007
J.D., DePaul University
School of Law, 1983



Michael B. Betar
Appointed February 19, 2008
J.D., Northern Illinois University
School of Law, 1992



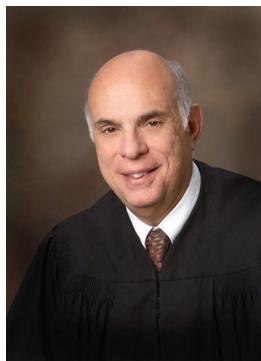
George Bridges
Appointed December 1, 2008
J.D., Chicago-Kent College
of Law, 1987



David P. Brodsky
Appointed March 1, 2007
J.D., Chicago-Kent College
of Law, 1985



Raymond D. Collins
Appointed Nov. 1, 2004
J.D., Chicago-Kent
College of Law, 1989



Wallace B. Dunn
Appointed May 1, 1986
J.D., DePaul University
College of Law, 1965

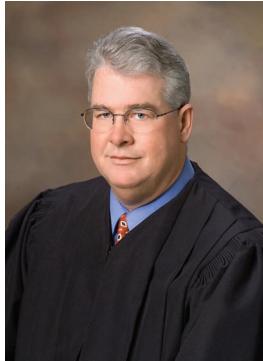
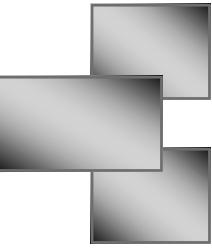


Michael J. Fusz
Appointed Sept. 1, 2004
J.D., Chicago-Kent College
of Law, 1977



Mitchell L. Hoffman
Appointed April 30, 2001
J.D., University of Illinois
College of Law, 1984

Associate Judges



Brian P. Hughes
Appointed July 7, 2000
J.D., John Marshall
Law School, 1979



Charles D. Johnson
Appointed Jan. 19, 2005
J.D., Valparaiso University
School of Law, 1986



Patrick N. Lawler
Appointed March 1, 1992
J.D., John Marshall
Law School, 1974



Sarah P. Lessman
Appointed Jan. 16, 2001
J.D., Loyola University
School of Law, 1973



Victoria L. Martin
Appointed April 1, 1989
J.D., Chicago-Kent
College of Law, 1980



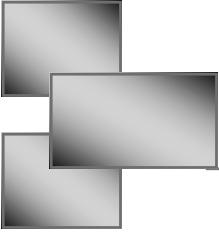
Veronica M. O'Malley
Appointed October 29, 2007
J.D., University of Illinois
College of Law, 1990



Theodore S. Potkonjak
Appointed April 1, 2002
J.D., California Western
Law School, 1982



Helen S. Rozenberg
Appointed Feb. 1, 1992
J.D., University of Detroit
Law School, 1979



Associate Judges



Thomas M. Schippers
Appointed March 8, 2007
J.D., Loyola University
College of Law, 1993



John J. Scully
Appointed February 24, 2009
J.D., University of San Diego
School of Law, 1974



Daniel B. Shanes
Appointed March 1, 2007
J.D., DePaul University
College of Law, 1993



George D. Strickland
Appointed July 12, 2006
J.D., John Marshall
Law School, 1983



Christopher R. Stride
Appointed August 22, 2005
J.D., Valparaiso University
School of Law, 1991



Donna-Jo Vorderstrasse
Appointed March 9, 2009
J.D., Washington University
School of Law, 1984



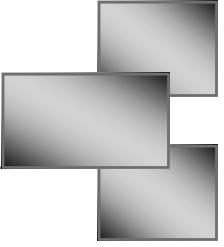
Nancy Schuster Waites
Appointed Jan. 18, 2005
J.D., John Marshall
Law School, 1986



Joseph R. Waldeck
Appointed Nov. 13, 1995
J.D., Lewis University
College of Law, 1979

Criminal Charges and Trials

Your Rights in Court



If you are arrested or charged with a crime, you have certain constitutional rights. It is often wise to consult with an attorney before waiving any of these rights.

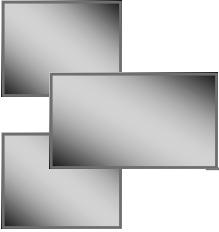
What are these rights?

Criminal Cases

- ❖ You have the right to remain silent and to refuse to answer any questions about the event asked by police officers or other officials;
- ❖ You have the right in criminal prosecutions to have a lawyer represent you; if you cannot afford to pay for a lawyer, you can ask the judge to appoint one for you;
- ❖ You have the right to a public and speedy trial, either by a jury or by a judge alone;
- ❖ You are not required to prove your innocence; instead, you are presumed innocent of any crime until the State's Attorney presents sufficient evidence to a judge or a jury to prove your guilt beyond a reasonable doubt;
- ❖ You are entitled to testify in your own defense if you want to, but you cannot be forced to testify;
- ❖ You or your attorney may cross-examine any person who testifies against you;
- ❖ You are allowed to bring in witnesses, and the judge can order any person you need as a witness to appear in court;
- ❖ If you are found guilty, you have the right to appeal. You also have the right to make a statement or present additional information to the judge at the time of sentencing. The judge then decides the sentence, unless the death penalty is a possibility. In these instances you have the right to have the jury decide whether the death sentence shall be imposed.

Civil Cases

- ❖ Violation of private rights and duties are considered civil cases. Suits can be brought for such matters as the recovery of damages from negligence, breach of contract, or violation of civil rights. The court does not appoint attorneys in civil matters; however, there are legal aid services available for individuals who cannot afford a lawyer to represent them in civil matters.



Administrative Office of the Nineteenth Judicial Circuit

Robert A. Zastany
Executive Director

Administrative Office of the Nineteenth Judicial Circuit
847.377.3600

The Administrative Office of the Nineteenth Judicial Circuit relieves the judges, specifically, the Chief Judge, of the routine, non-judicial functions necessary to the efficient operation of the Courts. Conceived in the mid-1970's as a pilot program in the State of Illinois, the Nineteenth Judicial Circuit's Administrative Office has grown in size, service, and support to the court and the community. Currently, the Nineteenth Judicial Circuit has twelve Circuit Judges and twenty-four Associate Circuit Judges.

The Executive Director of the Administrative Office is charged with the responsibilities of personnel management, fiscal coordination, court automation planning, calendar coordination, jury management, legislative monitoring for the Court, space and equipment management, public information and report coordination, and interdepartmental and intergovernmental relations. The Executive Director and his professional staff are appointed by the Circuit Judges and work directly under the supervision of the Chief Judge.

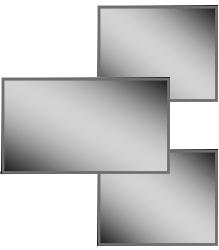
The Administrative Office is structured so that all administrative functions operate within a unified

system, providing better coordination, communication and efficiencies. This structure also enhances the capacity of the court to be more flexible and adaptable in providing quality service and programs to our constituents while meeting the ever-changing needs of the community.

The current structure of the Administrative Office was adopted by the Court in 1988, refined in 1995 and again in 2008. Headed by the Executive Director, it is comprised of six separate divisions: Judicial Operations, Administrative Services, Adult Probation, Psychological Services, Juvenile Detention and Probation Services, and Judicial Information.

The Administrative Office is also involved in assisting the judiciary in planning to meet the administrative challenges of the future. Statistical data and information relative to judicial, non-judicial and financial operations are collected and analyzed in the preparation of investigative studies into the methods, systems and activities of the Court. These studies are used to evaluate the effectiveness of current programs and propose alternatives for the consideration of the Court.

Adult Probation and Juvenile Probation Law Library



Adult Probation and Juvenile Probation

847.377.4504

The Executive Director of the Circuit also supervises the operations of Adult Probation, Juvenile/Detention Services and the Psychological Services Division.

Adult Probation is responsible to the Court for investigating and supervising offenders and alleged offenders. These services are provided by staff in the Pretrial, DUI, Intensive Probation Supervision (IPS), Public Service, and Support Units.

Juvenile Probation/Detention Services provides intervention and prevention services to delinquent minors and their families. These services are designed to curtail delinquent behavior and halt the potential development of an adult criminal career.

Psychological Services conducts psychological evaluations for the Courts. It also monitors community resources available for Juvenile and Adult Probation clients and coordinates referrals for those services.

Law Library

847.377.2800

The County Board of any county may establish and maintain a county law library. The facilities of such libraries are available to the public, professionals and pro se litigants, when the courthouse is open. Law libraries are self-sustaining through user fees which are collected when civil cases are filed.

Lake County's William D. Block Memorial Law Library has seven computer workstations dedicated to public use. Resources include word processing software, spreadsheets, Illinois legislative tracking, on-line legal research capabilities, and a small collection of non-legal reference materials. The law library also

maintains a fully searchable electronic card catalog.

The library collection includes over 25,000 books, 7,000 microfiche documents, and 50 journals and periodicals. Additional legal information resources can be found on the public computer workstations such as all of the case law, statutes, and regulations for Illinois, Wisconsin and the federal government. Recent Illinois, Wisconsin and federal information can also be found on the court's website.

A security checkout system has been installed in the Law Library which has eliminated book loss.

The Center for Self-Representation offers information, forms, and other assistance for people who want to represent themselves in Court.

People who can benefit from the Center's services are people who want or need to represent themselves in a pro se case. These services are helpful if you are the person who wants to file a pro se case and you need information about how to do so, or if you are sued in a pro se case and you need information about how to defend yourself in the case.

The Center for Self-Representation is located in the William D. Block Memorial Law Library. The Center is open Monday through Friday from 8:00 A.M. until 5:00 P.M. The Center is closed whenever the courthouse is closed, unless posted otherwise. Much of the Center for Self-Representation information is available 24 hours a day online at <http://19thcircuitcourt.state.il.us>.

There are fees associated with the following:

- ✓ Filing of legal documents
- ✓ Pre-printed materials
- ✓ Photocopies
- ✓ Printer usage
- ✓ Service of court documents

Professional staffing - The Center has special staff available to help users find information about how to represent themselves in a pro se court case. The staff **cannot** give legal advice.

Procedural information - The Center offers information about the steps you need to take to represent yourself in a pro se case.

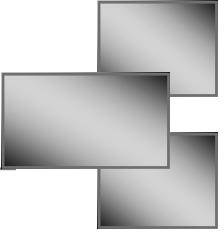
User-friendly forms and instructions - The forms and instructions available through the Center have been written to make it easier for individuals to represent themselves. You can also use the Center's computers or any computer with access to the Internet to access this information. Paper copies of the forms and instructions are also available at the Center.

Public access to computers - Located within the Center are computers for use by the public. Online access is available to the Center for Self-Representation's website which includes links to court information and other law-related sites.

Legal research materials - Legal research materials are available through the Center and through the Law Library. These resources include statute books, case law, local court rules, the Secretary of State's List of Registered Agents, and access to online legal research tools.

Center for Self-Representation website - The Center for Self-Representation's website, <http://19thcircuitcourt.state.il.us>, provides remote access to information that will help you help yourself in pro se cases. ***The website does not provide legal advice.***

Public Defender



Public Defender
Joy E. Gossman

847.377.3360

The Sixth Amendment to the United States Constitution guarantees the right of every American “in criminal prosecution...to have the assistance of counsel for his defense.” The United States Supreme Court has interpreted this to mean that if a person cannot afford to hire a lawyer to defend him or her in a criminal case, then a lawyer will be provided at public expense. This is true in every case where the accused faces the possibility of a jail or prison sentence.

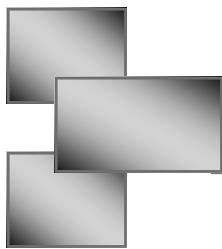
In Lake County, this right to counsel is provided through a Public Defender’s Office. The Public Defender is appointed by the Circuit Judges and is paid by the county. The Public Defender employs a staff of dedicated professional lawyers, investigators

and clerical personnel to protect the rights of persons accused of felony, misdemeanor, juvenile or serious traffic offenses.

Individuals may receive the services of the Public Defender’s Office if found financially eligible by the Court. In addition, the Public Defender may be appointed to represent respondents in mental health commitment cases, children in abuse or neglect cases, and those accused in paternity cases.

Unless there is a dismissal or acquittal, a modest fee may be recovered from the client at the termination of the case, based upon what the client can afford.





The Jury System

847.377.4600

Jury service is a vital function of democracy and is one of the most important duties of citizenship. It will give the juror an opportunity to see the court in action and to participate in the fundamental democratic process.

The right of trial by jury is guaranteed by the Illinois Constitution and by the United States Constitution. This is the right to have the facts in controversy determined by a unanimous verdict of impartial jurors acting under the direction of the judge.

Jury lists in Lake County are made up of names selected from holders of Illinois Driver's Licenses, Illinois State Identification Cards, Illinois Disabled Person's Identification Cards and registered Lake County voters. These names are entered into a computer. When a panel of jurors is needed, the computer is used to select a number of names at random. Juror summonses are then sent to those persons whose names are drawn, and they may be called into court to serve on one of the following types of juries:

Petit or Trial Jury - - A jury trial consists of twelve persons who have been summoned and chosen to sit on a criminal or civil jury to listen to testimony and evidence presented and then render a verdict. In most cases, two additional jurors are selected as alternates. Some types of cases, such as small claims, may use a jury of six persons.

Grand Jury - - Grand Jury is so named because it is comprised of a greater number of persons (sixteen), than a petit jury. Twelve of the sixteen jurors must be present in order to conduct business. Grand jurors do not hear actual trials but are sworn to hear evidence presented by the prosecutor, or State's Attorney, and, based upon this evidence, determine whether the accused should stand trial.

Approximately ninety percent of all jury trials in the world take place in the United States. Those who have served as jurors often express feelings of pride and respect for our system of justice, along with an appreciation of the chance to be part of the judicial process. Deciding the fate of the accused in a criminal trial or resolving a dispute between parties in a civil trial can be a difficult task, but the process of reaching a verdict is a unique lesson in democracy.

In published reports, Lake County continues to be a leader in disposition of cases.

The opportunity to serve on a jury in the Nineteenth Judicial Circuit allows you to become a better informed and more responsible citizen. It also allows you to learn more about your court system and the law. Jurors receive compensation as established by the County Board. Although the daily reimbursement allowed for jury service is small, the responsibility is great.

◆ “Those who have served as jurors often express feelings of pride and respect for our system of justice...”

Circuit Judge Victoria A. Rossetti

Court Interpreters

A court interpreter is appointed when the Court determines that the person accused of committing a felony or misdemeanor cannot understand the English language and is incapable of being understood by the Court, counsel and jury. The Court then enters an order appointing an interpreter who is sworn to interpret and translate all questions and answers directed by the Court and expressed by the defendant.

There are no statutory requirements or constitutional obligations that public funds be expended for appointment of language interpreters in civil cases. However, whenever a hearing impaired person is party to any legal proceeding of any nature, or is a juror or witness, the Court is required to appoint a qualified interpreter of sign language to interpret the proceedings. In the case of a hearing impaired juror, the interpreter

shall be available throughout the actual trial and may accompany and communicate with such juror throughout any period during which the jury is sequestered or engaged in its deliberations. Interpreter fees are determined by the Court and paid out of the county's general funds.

Spanish is the language requested most often throughout the State, as well as in Lake County; requests for sign interpreters rank second, with Polish ranking third.

Lake County has two full-time and two part-time Spanish interpreters. In addition, the Administrative Office of the Nineteenth Judicial Circuit will contract for foreign language interpreters when the Court determines that one is required.

Official Court Reporters

The Official Court Reporter (OCR) makes a stenographic report of the evidence and all other proceedings presented in the trial court. The primary function of an OCR is to take down verbatim record of all audible utterances in a court proceeding, without altering or editing the transcript. In an average day, an OCR may write anywhere from 30,000 to 50,000 words.

The majority of court reporters in the country today utilize computer aided transcription (C.A.T.). The strokes from the "stenotype" machine are electronically recorded on tape or diskette and then fed into a microcomputer where the reporter has stored a "dictionary." The "dictionary" is a list of "stenotype" strokes matched with their English equivalent. The computer transmits the translation directly into the terminals on the judge's bench and attorney tables in the courtroom enabling them to see and read the transcript as it is being spoken.

Instant translation is not the only benefit of the C.A.T. system. Reporters use this process, also known as "real time captioning," in court cases involving hearing-impaired participants. Through this technology the court

reporter's symbols are translated into English on the computer screen allowing the deaf or hearing impaired person to read the testimony as it is being spoken in the court proceeding.

Lake County is authorized to employ 19 official court reporters.

Qualifications for official court reporters in Illinois include: a Certified Shorthand Reporters Certificate issued by the Department of Professional Regulation and the passing of a proficiency examination administered through the Administrative Office of the Illinois Courts. In order to be certified in Illinois a court reporter must attain a 95% accuracy rate of 225 words per minute for a set period of time and demonstrate knowledge of legal and medical terminology and court procedure.

These qualifications protect the public by ensuring that all court reporters meet minimum professional standards. Lake County reporters produce approximately 75,000 pages of transcript annually.

Kids' Korner is the children's waiting room in the Lake County Courthouse. It provides a fun and structured environment for children ages 2 through 12 who are in the courthouse to testify in court or whose parents or guardians are conducting court business. Parents can be assured that their children are secure and protected from inappropriate adult business or behavior.

In 2008, Kids' Korner provided a safe haven for 2,508 children involved in the court system. Kids' Korner has provided temporary care for over 31,000 children since opening their doors in 1994.

Prior to opening Kids' Korner, children in the courthouse were often left unattended while their parents conducted court business. These children were at risk of being adversely impacted by court proceedings affecting themselves or their families.

While the primary focus of Kids' Korner is to protect the children, the program is also of great benefit to the operation of the court system. With fewer children present in the hallways and courtrooms of the courthouse, court time and resources can be utilized more effectively.

Kids' Korner also saw continued success of the "Give-A-Book" project. Each child cared for in Kids' Korner chooses a special book to take home. These books are given in an effort to encourage parents to read to their children and to promote a life long love of reading in

children. New and gently used books for this project are provided through donations.

Our holiday "Give-An-Animal-A-Home" project takes place in the months of December and January. Each child cared for in Kids' Korner chooses a new stuffed animal to give a new home. This can be a stressful time in these children's lives and this holiday project brings a smile to many young faces. New stuffed animals for this project are also provided by donations.

The success of the "Give-A-Book" and "Give-An-Animal-A-Home" projects rely on individual and community generosity and commitment to the children of Lake County.

Both parents and children attest to the success of Kids' Korner - parents through their positive comments and children through their joyful play. While at Kids' Korner, the children are made to feel safe and secure. They receive sustained and encouraging adult contact and guidance through trained staff and volunteers at a stressful time in their young lives. Kids' Korner is a very special way the Lake County Courthouse shows its concern for children and families.

Kids' Korner is located on the first floor near the Administrative Office in the County Courthouse Building. There is no fee for this service.

Glossary of Terms

A

Acquit - to find a defendant not guilty in a criminal trial.

Affidavit - a written statement of fact, signed and sworn to before a person having authority to administer an oath.

Affirm - the declaration of an Appellate Court that the judgment of a lower court is correct and should stand.

Allegation - the assertion, declaration, or statement of a party to a cause made to the court in a pleading, stating what that party expects to prove.

Answer - a written statement of the defendant's case, wherein the plaintiff's claims are admitted or denied.

Appeal - process by which a case is brought from one court to a higher court for review.

Appearance - the formal proceeding by which a defendant submits to the jurisdiction of the court.

Appellate Court - a court that reviews matters brought before it on appeal from lower courts, and having the authority to affirm or reverse lower court decisions.

Arraignment - in criminal cases, a court hearing where the defendant is advised of the charges and asked to plead guilty or not guilty.

Associate Judge - appointed on a merit basis by the Circuit Judges for a four-year term. They may hear all cases except felonies, unless certified by the Illinois Supreme Court. All judges must be licensed attorneys and are considered officials of this state.

B

Bail - an amount of money determined by the judge and posted with the court as security to ensure the defendant's appearance in court at a specific time.

Burden of Proof - obligation of a party to prove facts at issue in the trial of a case. In criminal cases, the

state has the burden of proof.

C

Cause - a suit, litigation or action - civil or criminal.

Challenge for Cause - excusing a juror from a trial for a stated, specific reason, such as the juror knows the parties or witnesses in a case. Each side has an unlimited number of challenges for cause.

Chambers - a judge's private office.

Charge - formal accusation against an individual suspected of having committed a criminal offense. It is not evidence.

Chief Judge - Presiding or Administrative Judge of the circuit.

Circuit Clerk - this elected official is responsible for maintaining the court records, issuing summons and subpoenas, collecting fines, and carrying out other business activities which support the Circuit Court.

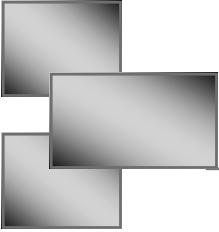
Circuit Judge - a member of the judiciary who is elected to a six-year term of office. He or she must be a licensed attorney. Every six years Circuit Judges must run for retention on a circuit-wide basis. They may hear all types of cases with statewide jurisdiction.

Civil Case - when one person, group of persons, or corporation sues another for personal injury, damages to property, or failure to complete a contract.

Common Law - the system of laws originally developed in England which are based upon court decisions and customs and usages, rather than on a body of written laws or statutes.

Complaint (Civil) - initial document filed by the plaintiff in a civil case stating the claims against the defendant.

Complaint (Criminal) - the formal accusation charging that a person has committed an offense. It is not evidence.



Glossary of Terms

Complaint (Criminal) - the formal accusation charging that a person has committed an offense. It is not evidence.

Continuance - adjournment of the proceedings in a case from one day or term to another.

Counterclaim - claim presented by a defendant against the plaintiff following the claim of the plaintiff.

Court Administrator - manager of the administrative, nonjudicial affairs of a court, such as budgets, personnel, and court schedules.

Court Officer - a deputy of the Lake County Sheriff assigned to a courtroom to preserve order as well as provide security for those in attendance.

Court Reporter - the reporter records and transcribes a verbatim record, that is, a word by word record of all testimony and all other statements made during court proceedings.

Courtroom Clerk - a member of the Circuit Clerk's staff who keeps the files for the court and maintains the judge's trial and motion schedules.

Criminal Case - this is an action brought in the name of the State of Illinois, contending that a crime has been committed.

Cross-Examination - questioning of a witness during a trial, or during the taking of a deposition, by the party opposed to the one who produced the witness.

D

Damages - compensation recovered in the courts by a person who has suffered loss, detriment, and/or injury to his person, property, or rights through the unlawful act or negligence of another.

De Novo - (*Latin for "Anew"*) A trial de novo is a completely new trial held as if the original trial had never taken place.

Defendant - in a criminal case this is the person charged with committing a crime. In a civil case it is the person(s) or corporation from which the plaintiff wants to collect damages.

Deposition - testimony taken under oath and recorded in an authorized place outside the courtroom.

Direct Examination - questioning of a witness in a trial, or at the taking of a deposition, by the party for whom the witness is testifying.

Discovery - The pre-trial proceedings where a party to an action may be informed about (or "discover") the facts known by other parties or witnesses.

Due Process - the constitutional guarantee that an accused person receives a fair and impartial trial.

E

Evidence - any form of proof presented by a party for the purpose of supporting its arguments before the court.

Exhibit - the paper, document or other physical object received by the court as evidence during a trial.

G

Grand Jury - a group of citizens sworn to inquire into crime and bring accusations (indictments) against suspected criminals.

H

Habeas Corpus - (*Latin for "You have the body"*) A writ of habeas corpus required a person be brought before a judge. It is usually used to direct an official to produce a prisoner so that the court may determine if such a person has been denied his liberty without due process.

Hearsay - evidence based on what a witness has heard someone else say rather than what the witness has personally experienced.

Glossary of Terms

Hearsay - evidence based on what a witness has heard someone else say rather than what the witness has personally experienced.

Hung Jury - a jury that cannot agree on a verdict.

I

Impeachment of Witness - an attack on the credibility of a witness.

Inadmissible - that which, under the established rules of evidence, cannot be admitted or received in court.

Indictment - written accusation of a grand jury, charging that a person or business committed a crime.

Indigent - meeting certain standards of poverty, qualifying a criminal defendant to a public defender.

Information - an accusation of some criminal offense, in the nature of an indictment, that is presented by a State's Attorney instead of a Grand Jury.

J

Judgment - a final determination by a court of the rights of the parties in an action.

M

Mandatory Arbitration - Process whereby cases filed in the Trial Court have an expedited hearing by a panel of arbitrators (attorneys trained and certified, acting with limited authority) instead of a Judge/jury. In Illinois, Circuits/Counties must be authorized by the Illinois Supreme Court to enact an arbitration program.

Mitigating Circumstances - those which do not constitute a justification or excuse for an offense but which may be considered as reasons for reducing the penalties imposed.

Mistrial - erroneous or invalid trial. Usually declared because of prejudicial error in the proceedings, a hung jury, or when the proceedings must be interrupted.

Motions - oral or written requests made by a party to an action and brought before a judge prior to, during or after a trial.

N

Negligence - absence of ordinary care.

O

Objection - statement by an attorney in opposition to testimony, or the attempted admission of evidence, and opposing its consideration as evidence.

Overruled - 1) The court's denial of any motion or objection. 2) To overturn or void a decision in a prior case.

P

Parties - persons, corporations, or associations who have brought a lawsuit or who are defendants.

Peremptory Challenge - the right to excuse a juror without specifying a reason. Each side has a limited number of peremptory challenges, after which the attorney is required to furnish a reason.

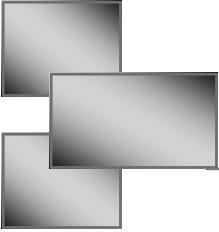
Perjury - criminal offense of making false statements under oath.

Petit Jury - a group of citizens sworn to hear testimony and determine facts in a trial.

Plaintiff - in a civil case the person(s) or corporation asserting a claim for damages allegedly sustained as result of the conduct of the defendant.

Plea - statement made by the defendant as to his/her guilt or innocence to the charge made against him or her.

Plea-Bargaining - process in which the accused and the prosecutor negotiate a mutually satisfactory disposition of the case. Such bargains are not binding on the court.



Glossary of Terms

Pleadings - formal written allegations by the parties of their respective claims and defenses for the judgment of the court.

Preponderance of Evidence - a standard of judging evidence by which the judge or the jury determines whether an issue of fact is more probable than not probable.

Probable Cause - reasonable cause; having more evidence by which the judge or the jury determines whether an issue of fact is more probable than not probable.

Probation - set of conditions and regulations under which a person found guilty of a criminal offense is allowed to remain in the community, generally under the supervision of a probation officer and custody of the court.

Pro Se - Latin meaning "*for himself; in his own behalf; in person*" or as in appearing for oneself. To act as one's own attorney in a civil or criminal matter.

R

Redirect examination - follows cross-examination and is exercised by the party who first examined the witness.

Remand - a disposition by an appellate court which sends a case back to the trial court for further proceedings.

S

Statute - the law as enacted by the legislature.

Statute of Limitations - law that specifies the time within which judicial action must be taken.

Stipulation - voluntary agreement by the attorneys and parties on opposite sides of a case regarding any matter in the trial proceedings, so as to eliminate the need for proof of the matter.

Subpoena - a document issued by the Court to compel a witness to appear and give testimony or to procure documentary evidence in a proceeding.

Sustain - when the Court allows an objection to testimony or evidence.

T

Testimony - the sworn evidence presented by witnesses.

Transcript - the official record of proceedings in a trial, prepared by the court reporter.

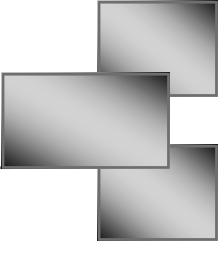
V

Venire - the entire panel of citizens called for jury service from which a jury will be picked for a particular case.

Venue - a specific geographical area in which a court with jurisdiction may hear a case.

Verdict - formal decision made by a jury, read before the court and accepted by the judge.

Voir Dire - (French for "*to speak the truth*".) The process by which citizens are questioned before being selected to hear evidence as jurors.



Marriage Information Line

The court sponsors a *Marriage Information Line* to assist in answering questions concerning *Marriages by a Judge*. Please call 1.847.377.3999. Selections are recorded in both English and Spanish.

Additional copies are available from:

Administrative Office of the Nineteenth Judicial Circuit
18 North County Street
Waukegan, Illinois 60085-4359
847.377.3600

Or by downloading from our Web Page:

[http://19thcircuitcourt.state.il.us](http://19thcircircuitcourt.state.il.us)

**Other Publications available from the
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Probate Court Booklet
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Jury Service: Information for Employers
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