

CIRCUIT COURT OF ILLINOIS
SIXTH JUDICIAL CIRCUIT

INDEX

CIRCUIT ADMINISTRATIVE ORDERS ENTERED IN 1995

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95-2	5/31/95	Appointment of Harry E. Clem, John R. DeLaMar, Scott B. Diamond, Ann A. Einhorn, Jeffrey B. Ford, Paul M. Francis, Theodore E. Paine, Donald R. Parkinson, Arthur F. Powers, Jr., W.A. Sappington and Timothy J. Steadman as Associate Judges for four-year term commencing July 1, 1995.
95-3	6/19/95	Code of Professional Conduct, Sixth Judicial Circuit Probation/Court Services Employees
95-4	8/11/95	Local Anti-Crime Program, Authority to Assess Payments
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95-6 (Amended 1/6/2004) (Amended 3/24/2009)	10/23/95	Sexual Harassment Procedures for appealing the outcome of the investigation and/or discipline imposed upon state-paid judicial and non-judicial branch employee pursuant to the Sexual Harassment Policy and Procedures of the Supreme Court of Illinois, April 29, 1993 (Amended November 5, 2003)
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95-10 (Amended 8/13/04) (Amended 12/10/07)	12/29/95	Procedures for request for use of eavesdropping device and electronic criminal surveillance

SIXTH JUDICIAL CIRCUIT ADMINISTRATIVE ORDERS
1995-1 to 1995-9

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IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
STATE OF ILLINOIS

TRAFFIC

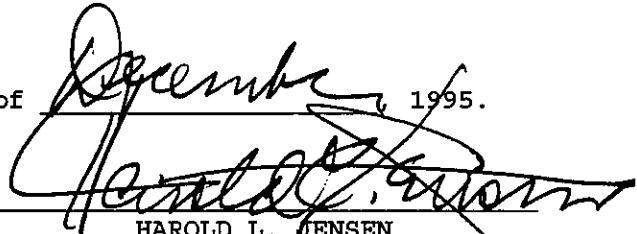
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ADMINISTRATIVE ORDER NO. 95-1

Since September, 1995, certain village and traffic matters are being set for the courtroom in Rantoul on specific days. A limited number of cases are being set. It has come to this Court's attention that matters written by the Village of Fisher on Uniform Traffic Citation and Complaints are directing persons who are not within the specific class of cases being sent to the Rantoul courtroom to appear in the Rantoul courtroom. This is beginning to cause administrative problems in the Circuit Clerk's Office, with the Court and has presented some confusion with the general public.

WHEREFORE, UNTIL FURTHER ORDER OF THIS COURT, any ordinance traffic matter charged by the Village of Fisher must be charged on a written criminal complaint and filed on the second floor of the Champaign County Courthouse, Urbana, Illinois, in the Champaign County Circuit Clerk's Criminal Office, Quasi Division and not filed on a Uniform Citation and Complaint Form. All traffic citations filed on a Uniform Citation and Complaint Form will be designated as State traffic charges and not village ordinances violations and will be filed at the Traffic Clerk's Office at 102 South Bennet, Urbana, Illinois. No traffic citations will have a first appearance date in the Rantoul Courtroom on Tanner Street in Rantoul, Illinois. This Order becomes effective on all complaints and citations beginning December 15, 1995.

ENTERED this 11th day of September, 1995.


HAROLD L. JENSEN
PRESIDING JUDGE OF CHAMPAIGN COUNTY

IN THE CIRCUIT COURT
SIXTH JUDICIAL CIRCUIT
PIATT COUNTY, ILLINOIS

IN RE: APPOINTMENT OF ASSOCIATE JUDGE)
TIMOTHY JOSEPH STEADMAN)
CIRCUIT ADMINISTRATIVE
ORDER NO. 95-1

ORDER

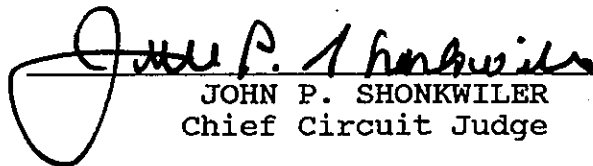
Pursuant to Rule 39 of the Illinois Supreme Court Rules,

TIMOTHY JOSEPH STEADMAN

is hereby appointed by the Circuit Judges, Sixth Judicial Circuit, to the Office of Associate Judge, Sixth Judicial Circuit, for a four-year term commencing February 1, 1995.

Dated at Monticello, Illinois, this 11th day of January, 1995.

ENTER:


JOHN P. SHONKWILER
Chief Circuit Judge

IN THE CIRCUIT COURT
SIXTH JUDICIAL CIRCUIT
PIATT COUNTY, ILLINOIS

IN RE: APPOINTMENT OF ASSOCIATE JUDGES)
) CIRCUIT ADMINISTRATIVE
) ORDER NO. 95-2

O R D E R

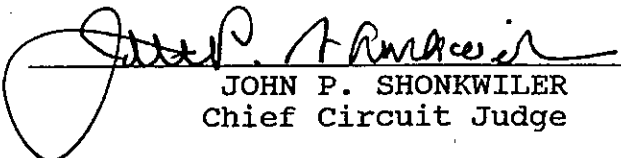
Pursuant to Rule 39 of the Illinois Supreme Court Rules,

HARRY E. CLEM
JOHN R. DeLaMar
SCOTT B. DIAMOND
ANN A. EINHORN
JEFFREY B. FORD
PAUL M. FRANCIS
THEODORE E. PAINE
DONALD R. PARKINSON
ARTHUR F. POWERS, JR.
W. A. SAPPINGTON
TIMOTHY J. STEADMAN

are hereby appointed by the Circuit Judges, Sixth Judicial Circuit, to the office of Associate Judge, Sixth Judicial Circuit, for a four-year term commencing July 1, 1995.

Dated at Monticello, Illinois, this 31st day of May, 1995.

ENTER:



JOHN P. SHONKWILER
Chief Circuit Judge

IN THE CIRCUIT COURT OF ILLINOIS
SIXTH JUDICIAL CIRCUIT

CIRCUIT ADMINISTRATIVE ORDER 95-3

CODE OF PROFESSIONAL CONDUCT
SIXTH JUDICIAL CIRCUIT PROBATION/COURT SERVICES EMPLOYEES

An independent and honorable judiciary is indispensable to justice in our society. Probation/court services employees shall observe high standards of conduct so that the integrity and independence of the judiciary may be preserved and reflects a devotion to public service. In recognition of the essential role that probation/court services employees play in the administration of justice in the State of Illinois, this Code is adopted to promote the integrity, efficiency and professionalism of probation services.

1. Probation/court services employees shall:

- A. Respect the authority and follow the directives of the Chief Judge, or designee, recognizing at all times the probation officer is responsible to the court;
- B. Respect the civil and legal rights of all persons;
- C. Recognize the appropriate limits of the services offered by the probation/court services profession, and direct individuals to alternative resources when appropriate;
- D. Conduct each case with concern for the probationer's welfare, the public's interest, and with no purpose of personal gain;
- E. Maintain relationships with colleagues in such a manner to promote mutual respect and cooperation;
- F. Understand the importance of all elements of the criminal justice system and cultivate a professional cooperation with each segment;
- G. Observe and uphold all federal, state and local laws;
- H. Respect and protect the right of the public to be safeguarded from criminal/delinquent activity;
- I. Accurately record and make available for review any and all case information which could contribute to sound decisions affecting a probationer or the public safety;
- J. Seek only that personal data from the probationer needed to perform the officers' duties and responsibilities;

- K. Clearly distinguish between those public statements that are personal views and those that are statements and positions on behalf of a department. Only those employees authorized to do so shall make public statements on behalf of the department and the court;
- L. Report without reservation any violations of the law or this code on the part of other probation/court services employees, probationers or other individuals, which could affect either a probationer, the integrity of the department, or the court;
- M. Immediately report to their supervisor any attempt by any person to violate the law or any standards set forth in this Code.

II. Probation/court services employees shall not:

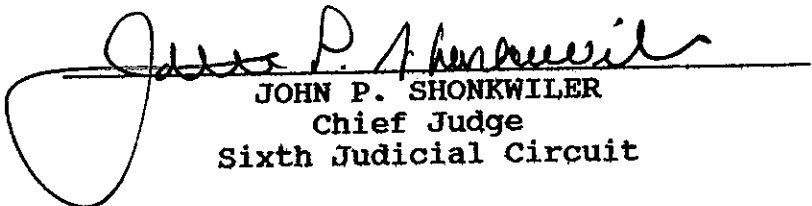
- A. Use their official position to secure privileges or advantages;
- B. Permit personal interest to impair the objectivity which is to be maintained in their official capacity;
- C. Develop a relationship with probationers other than that necessary to conduct business. Probation/court services employees shall not knowingly become socially, romantically or sexually involved with probationers or engage in any activity that could discredit or cause an embarrassment to the probation/court services department or the court. Any such involvement shall be immediately reported to the employee's supervisor;
- D. Knowingly become personally or intimately involved with, or engage in, any activity with any person that would bring discredit, or cause an embarrassment to the probation/court services department or the court;
- E. Discriminate against any employee, prospective employee or probationer on the basis of race, sex, creed, or national origin;
- F. Accept any gift or favor of any nature which implies an obligation that is inconsistent with the free and objective exercise of professional responsibilities;
- G. Solicit or accept any gift, favor, or compensation for anything to do with or related to the performance of official duties, or for anything that might compromise the integrity of the court as provided by 730 ILCS 110/14;
- H. Falsify or improperly alter or destroy any records or documents relating to the operation of the probation department, or the court;

- I. Conduct financial business dealings with probationers, including but not limited to such matters as serving as a fiduciary, accepting or making loans, or cosigning promissory notes;
- J. Engage in any personal, financial or business dealings which may create an actual conflict of interest with their official duties, or which may create the appearance of a conflict of interest with their official duties;
- K. Disclose case information, under any circumstances, to unauthorized persons.

III. Additional provisions

- A. The matters set forth above are not intended to be, and do not constitute an exhaustive list of rules and regulations governing the conduct of probation/court services employees. Such employees are responsible for complying with all other applicable statutes, rules, regulations, and other provisions governing probation/court services employees in the discharge of their official duties;
- B. The adoption of this Code of Conduct vests no rights in probation/court services employees and creates no limitation on previous existing rights of the Supreme Court of Illinois, Chief Judges and supervisory personnel with respect to the hiring, setting of terms and conditions of employment, discipline and discharge of probation/court services employees.
- C. This model Code of Professional Conduct for Sixth Circuit Probation/Court Services employees shall become effective July 1, 1995.

ENTERED: This 19th day of June, 1995.


JOHN P. SHONKWILER
Chief Judge
Sixth Judicial Circuit

IN THE CIRCUIT COURT OF ILLINOIS
SIXTH JUDICIAL CIRCUIT

CIRCUIT ADMINISTRATIVE ORDER 95-4

SUBJECT: Local Anti-Crime Program, Authority to Assess Payments

Pursuant to 730 ILCS 5/5-6-3 (12) and (13) and 5/5-6-3.1(c) (13), authority is hereby granted to the courts within the Sixth Judicial Circuit to assess reasonable sums as set forth in this administrative order, to be paid by all persons who have been placed on probation, conditional discharge or supervision.

The sums assessed by the court pursuant to this administrative order shall be paid to the Clerk of the Court by the defendant. In a multi-count information where a defendant is found guilty of both a felony and misdemeanor charge, only the felony assessment shall be required. The Clerk of the Court shall transmit such funds on the first working day of each month to the local anti-crime program as defined under the Anti-Crime Advisory Council Act (20 ILCS 3910/7), as approved by the Presiding Judge of each county within the Sixth Judicial Circuit. The rules and procedures for disbursement of the funds by the local anti-crime program shall be approved by the Presiding Judge of the county.

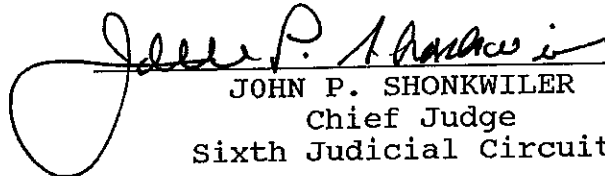
The reasonable sum to be assessed pursuant to this order, to be paid by all persons placed on probation, conditional discharge or supervision, shall be:

- (a) \$10.00 in all felony cases;
- (b) \$ 5.00 in all misdemeanor cases;
- (c) \$ 5.00 in all traffic cases that are punishable as a class A misdemeanor;
- (d) In addition thereto, the defendant may be ordered to reimburse the local anti-crime program for any reasonable expenses incurred by the program on the offender's case, not to exceed the maximum amount of fine authorized for the offense for which the defendant was sentenced.

This administrative order shall be effective within a county of the Sixth Judicial Circuit only upon a written directive of the Presiding Judge implementing its use within the county.

Entered: August 11, 1995

Effective: September 1, 1995


JOHN P. SHONKWILER
Chief Judge
Sixth Judicial Circuit

CIRCUIT COURT OF ILLINOIS SIXTH JUDICIAL CIRCUIT

CIRCUIT ADMINISTRATIVE ORDER NO. 95-5

IN RE: ADMINISTRATIVE SANCTIONS PROGRAM, ESTABLISHMENT OF

An Administrative Sanctions Program is hereby established for the Sixth Judicial Circuit pursuant to Public Act 89-198 to ensure swift, certain and equitable sanctions for technical violations of adult and juvenile offenders sentenced to probation. The Program shall be administered by the Probation and Court Services Department of each county within the Sixth Judicial Circuit pursuant to this Administrative Order.

DEFINITIONS

Technical Violation: Any infraction of a court order of probation, conditional discharge, or supervision other than an allegation of a subsequent criminal act.

Probation: When the term probation is used in this Order, it includes a sentence of probation pursuant to 705 ILCS 405/5-23, 705 ILCS 405/5-24, 720 ILCS 550/10, 720 ILCS 570/410 and 730 ILCS 5/5-6-1(a); a sentence of conditional discharge pursuant to 705 ILCS 405/5-23 and 730 ILCS 5/5-6-1(b); and a disposition of supervision pursuant to 705 ILCS 405/3-21, 705 ILCS 405/3-24, 705 ILCS 405/5-19 and 730 ILCS 5/5-6-1(c).

Program: The Administrative Sanctions Program of the Sixth Judicial Circuit.

Offender: Any sentenced person, adult or juvenile, under the supervision of a Probation and Court Services Department.

PHILOSOPHY

The purpose of the Administrative Sanctions Program shall be to respond to all identified technical violations of probation in a consistent manner that considers the risk and needs of the offender, is proportional to the risk to the community, and utilizes the least restrictive response to achieve long term positive behavioral change.

POLICY

Technical violations shall be addressed in a timely manner, by imposing appropriate sanctions, based upon established Program guidelines. Probation officers within the Department shall use the Administrative Sanctions Grid, as prescribed in Appendix 3 of this Order, for all technical violations to determine appropriate sanction(s). Departments do not have the authority to extend the term of, or revoke, probation, increase the amount of a judicially ordered fine or costs, or incarcerate an offender except pursuant to 730 ILCS 110/11 and/or 730 ILCS 110/15 (12).

ELIGIBILITY

After the effective date of this Administrative Order, each Certificate of Probation, Conditional Discharge and Supervision shall contain notice to the defendants in substantially the following form:

Defendant, upon committing a technical violation of this Certificate of Conditions, is subject to the Administrative Sanctions Program.

All offenders sentenced to probation within the Sixth Judicial Circuit shall be eligible for the Administrative Sanctions Program unless the sentencing Court specifically prohibits such participation at the time of sentencing.

All offenders sentenced to probation by jurisdictions outside the Sixth Judicial Circuit shall be offered program participation subject to the same conditions as those originating within the Sixth Judicial Circuit. Those jurisdictions shall be notified of program availability and informed that denial of program participation requires a written order from the sentencing Court.

Offenders sentenced to a term of probation by the Court prior to the effective date of this Administrative Order shall be offered Program eligibility during the first six months of the program. The offer of eligibility shall be made in writing following an individual conference with the offender. The offender shall have the Program conditions explained by the assigned probation officer and elect, by signature and date, the decision to participate, or not participate, in the Program. In any conference involving a juvenile, a parent or guardian must be present and consent, in writing, to the juvenile's program participation. The election shall be in substantially the same form as prescribed in Appendix 1 of this Order.

The decision to address technical violations through the Administrative Sanction Program shall be determined by the department. The number of times an offender may participate in the Program is not limited; however, upon the second and subsequent technical violation(s) and/or Program violation(s) within a 12-month period, approval must be made by the Chief Managing Officer or designee. If disapproved, the Department may request a Petition to Revoke/Modify through the Office of the State's Attorney.

CASE ENTRY

The probation officer, upon verification and documentation of an alleged technical violation, shall complete an Administrative Sanctions Request in substantially the same form as prescribed in Appendix 2 of this Order.

The Request shall be completed in detail identifying the specific court ordered condition(s) or Program condition(s) alleged to have been violated, the date(s) of the violation(s), the administrative sanction(s), and the period of time the sanction(s) are to be imposed.

To ascertain the appropriate sanction(s) for a technical violation, the officer shall utilize the Administrative Sanctions Grid pursuant to the instructions noted thereon, in conjunction with Appendices 4 and 5 of this Order.

Upon completion of the Administrative Sanctions Request, it shall be submitted to the officer's supervisor for review. The unit supervisor or designee shall approve/deny the Administrative Sanctions Request and return to the officer within four (4) working hours of receipt, indicating the date and time thereon.

If the Request is approved, the supervisor or designee shall assign a deadline date for the technical violation conference. If the Request is denied, the supervisor or designee shall specify the reason(s) in the comments section and, if appropriate, the request may be resubmitted for review. Once the request is approved the sanction(s) shall not be altered.

If the Request is denied and the technical violation has been verified, the Department shall request a Petition to Revoke/Modify through the Office of the State's Attorney. The Administrative Sanction process shall be discontinued, if, upon further review, it is determined there was no violation, the violation cannot be properly verified, or the violation is not within the purview of this Order.

ADMINISTRATIVE SANCTIONS CONFERENCE

Upon supervisory approval, the probation officer shall contact the offender to arrange an Administrative Sanctions Conference. The probation officer should, within two (2) working hours, mail a Technical Violation Conference Notice, in substantially the same form as prescribed in Appendix 6 of this Order, informing the offender of the time, date and place of the conference; and, in addition thereto, simultaneously attempt telephone and/or home visit contact with the offender. If the offender is a juvenile, a Technical Violation Conference Notice shall also be sent to the minor's parent/guardian.

The conference shall be held in the offices of the Probation and Court Services Department, or other location approved by management personnel, within three (3) work days of the date of the Notice. If the Offender fails to respond to the Notice, the probation officer may request a Petition to

Revoke/Modify through the Office of the State's Attorney, or may arrest the offender pursuant to 730 ILCS 110/15 (12).

At the conference, the probation officer shall identify the specific court ordered condition(s) or Program condition(s) alleged to have been violated, the date(s) of the violation(s), the administrative sanction(s) and the period of time the sanction(s) are to be imposed. The probation officer shall read and ensure the offender understands the Rights of Offender, as prescribed in Appendix 7 of this Order. The offender shall specify in writing whether he/she elects to participate in the Administrative Sanctions Program and shall sign and date the Election To Participate in substantially the same form as Appendix 8 of this Order.

If the offender elects to participate in the Administrative Sanctions Program, notification shall be forwarded to the Office of the State's Attorney, in substantially the same form as Appendix 9 of this Order, advising them of the violation(s), sanction(s) and offender's election to participate in the Administrative Sanctions Program.

Upon electing to participate in the program, the sanction(s) become effective immediately, and the offender's case plan is adjusted accordingly. The offender's Risk/Needs reassessment instruments are not required as a part of this process, but may be used at the officer's discretion.

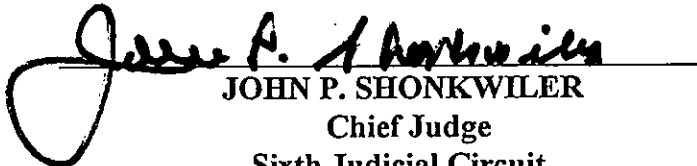
If the offender elects Program participation and successfully completes the prescribed sanctions, the technical violation(s) shall not subsequently be used as a basis for any future Petition(s) to Revoke/Modify. However, in a subsequent hearing on a Petition(s) to Revoke/Modify, the Court may consider all technical violations, including technical violations involving Program participation.

If the offender does not elect to participate in the Administrative Sanctions Program, the probation officer shall immediately request a Petition to Revoke/Modify through the Office of the State's Attorney.

In any conference involving a juvenile, a parent or guardian must be present and consent, in writing, to the juvenile's program participation.

Entered: This 25th day of August, 1995

Effective: This 1st day of September, 1995


JOHN P. SHONKWILER
Chief Judge
Sixth Judicial Circuit

APPENDIX

Program Election: Appendix 1 is used for all offenders serving a term of probation in the Sixth Judicial Circuit prior to the effective date of the Program. The Program Election offer must be completed on all identified offenders within the first three months of the Program start date.

Administrative Sanctions Request: Appendix 2 specifies the offender's court ordered violation and identifies the sanction to be imposed. This request is completed by the supervising probation officer and approved/denied by the department supervisor or designee.

Administrative Sanction Grid: Appendix 3 provides instruction to the probation officer in the identification of the seriousness of the technical violation and the options for potential sanctions. This grid is used in conjunction with Appendix 4 and 5.

Violation Seriousness Table: Appendix 4 classifies the technical violation into levels of low, medium or high seriousness. Should the offender have two levels of violations at the same time the probation officer will use the more serious violation as the determining factor.

In each instance where the violation is not listed on the Violation Seriousness Table, the Presiding Judge of the county in which the offender is supervised is authorized to designate whether such violation is of low, medium or high seriousness and shall so instruct the probation department.

Level of Sanction: Appendix 5 identifies the options for sanctions the probation officer may impose for a technical violation.

Technical Violation Conference Notice: Appendix 6 informs the offender through correspondence of the appointment place, date and time of the violation conference.

Rights of Offenders: Appendix 7 is read to the offender by the probation officer to ensure the offender's understanding of their right to a court hearing on the violation or their right to program participation if they so elect.

Election to Participate: Appendix 8 serves as documentation of the offender's decision to proceed to court or their election to participate in the Program.

State's Attorney Notification: Appendix 9 informs the State's Attorney through correspondence of verified violation(s), imposed sanction(s), date of conference, and the offender's election to participate in the Administrative Sanctions Program.

**SIXTH JUDICIAL CIRCUIT
ADMINISTRATIVE SANCTIONS PROGRAM**

PROGRAM ELECTION

The Administrative Sanctions Program has been explained to me, including possible consequences for technical violations of my Court ordered conditions. Based on the information I have read or that has been read to me, and the explanation given to me by the Probation and Court Services Department, I

elect

do not elect

to participate in the Sixth Judicial Circuit Administrative Sanctions Program.

Offender

Date

Parent/Guardian

Date

Probation Officer

Date

SIXTH JUDICIAL CIRCUIT ADMINISTRATIVE SANCTIONS PROGRAM

ADMINISTRATIVE SANCTION REQUEST

Name: _____ Case Number: _____

Date: _____ Time: _____

Violation(s)	Date(s)	Seriousness

Sanction(s)	Length of Sanction

Probation Officer

To be completed by supervisor:
 Approved Denied

Technical violation conference to be conducted by: _____
(date)

Comments: _____

 Supervisor

**SIXTH JUDICIAL CIRCUIT
ADMINISTRATIVE SANCTIONS PROGRAM**

VIOLATION SERIOUSNESS TABLE

LOW

Failure to:

- report as directed
- attend class on time
- report police contact
- seek/maintain employment as directed
- refrain from receiving in-school suspensions
- notify probation office of address/employment change

MEDIUM

Failure to:

- abide by curfew
- report new arrest
- obtain travel permit
- attend school as directed
- reside with parent/guardian
- be present for scheduled home visit
- pay monies (fines, costs, fees, drug test, electronic monitoring, child support, etc...)

HIGH

Failure to:

- pay restitution
- allow home visit
- pass alcohol/drug test
- appear for court hearings
- abide by home confinement
- submit to breath/urine/blood test
- perform public/community service
- comply with Administrative Sanction
- refrain from possessing illegal weapons
- refrain from receiving out of school suspensions
- attend and/or participate in counseling/treatment/court ordered programs
- comply with stay away order (including gang members, convicted felons, etc.)
- register as sex offender/undergo medical testing for sexually transmitted diseases

SIXTH JUDICIAL CIRCUIT ADMINISTRATIVE SANCTIONS PROGRAM

LEVEL OF SANCTION CHART

Level			SANCTION
1	2	3	
A	A	A	Increase frequency of reporting
A	A	B	Require attendance A.A./N.A.
A	B	C	Require evaluation (mental health, substance abuse)
B	B	D	Require public/community service
B	C	E	Require treatment (mental health, substance abuse)
C	C	F	Require participation in educational/vocational program
C	D	G	Require/increase drug testing
C	D	G	Restrict/deny driving privileges not to exceed sixty (60) days
D	E	H	Impose curfew with/without electronic monitoring
E	F	N/A	Verbal/written reprimand

**SIXTH JUDICIAL CIRCUIT
ADMINISTRATIVE SANCTIONS PROGRAM**

TECHNICAL VIOLATION CONFERENCE NOTICE

Case Number:

(Date)

(Name)

(Address)

Dear (_____):

Based on our case documentation, you are in technical violation of your conditions of *(probation/conditional discharge/supervision)*. This is official notice of your technical violation and required attendance at a conference scheduled for *(day) (date) at (time) at (address)*. Prior to the scheduled conference you may seek the advise and counsel of an attorney.

Failure to appear pursuant to this notice may result in your arrest or a request for a petition to revoke/modify your *(probation/conditional discharge/supervision)*.

Probation Officer

SIXTH JUDICIAL CIRCUIT ADMINISTRATIVE SANCTIONS PROGRAM

RIGHTS OF OFFENDERS

Administrative Sanctions Program: You have the right to elect participation in the Administrative Sanctions Program. Under this program, your sentence will be continued and administrative sanction(s) will be imposed based upon your violation(s). If you elect to participate in the program, your current sentence will not be revoked. You cannot be ordered to serve time in jail, be assessed an additional fine or have your sentence extended.

Right to Court Hearing: You have been informed of the alleged technical violation(s) of your court ordered conditions of probation, conditional discharge or supervision. You may elect to have a Petition to Revoke/Modify filed through the Office of the State's Attorney and to a hearing on that petition before the Court. At that hearing, you have a right to be present, to cross-examine witnesses, to have witnesses subpoenaed for you, to have an attorney present, or have an attorney appointed to represent you if you cannot afford one, and to require the State's Attorney to prove the allegations by a preponderance of the evidence. After the hearing, the Court will determine whether you violated the condition(s) listed on the Violation Report. If the Court finds the violation(s) have been proven, the Court may continue your sentence (subject to the same, or modified/additional conditions) or order a sanction which may include an extension of your sentence, a jail sentence, additional fine or other sanctions. The Court may also revoke your probation, conditional discharge or supervision and sentence you under the original charge.

Consequences for Violating the Sanctions: Program participation requires completion of all sanction(s) imposed by the Probation Department. No further legal action shall be initiated upon successful completion of imposed sanction(s). However, failure to successfully complete the imposed sanction(s) could result in additional Program sanction(s), or a Petition to Revoke/Modify being filed through the Office of the State's Attorney.

**SIXTH JUDICIAL CIRCUIT
ADMINISTRATIVE SANCTIONS PROGRAM**

ELECTION TO PARTICIPATE

I have read and fully understand the **RIGHTS OF OFFENDERS** contained herein, and I hereby:

- elect to participate in the Administrative Sanctions Program and agree to comply with the sanction(s) imposed.
- do not elect to participate in the Administrative Sanctions Program.

Offender

Date

Parent/Guardian

Date

Probation Officer

Date

CIRCUIT COURT OF ILLINOIS
Sixth JUDICIAL CIRCUIT

CIRCUIT ADMINISTRATIVE ORDER 95-6 (AMENDED)

SUBJECT: Sexual Harassment-Procedures for appealing the outcome of the investigation and/or discipline imposed upon State-paid judicial and non-judicial branch employee pursuant to the Sexual Harassment Policy and Procedures of the Supreme Court of Illinois, April 29, 1993 (Amended November 5, 2003).

1. Any party seeking an appeal pursuant to Paragraph II E of a sexual harassment investigation and/or discipline imposed under Paragraph II D of the Supreme Court of Illinois Sexual Harassment Policy and Procedures (the Policy) shall transmit a written Notice of Review to the supervisor ruling on the complaint within seven work days of the ruling, with a copy of the notice to all interested parties. The notice shall state, with specificity, the part or parts of the ruling to be reviewed.

2. The supervisor ruling on the complaint shall, within ten work days of receiving the notice, transmit a copy of the notice to the chief circuit judge, Sixth Judicial Circuit, by letter of transmittal with copies to all interested parties, and shall include:

(a) The written record of interview and any other aspects of the investigation as provided in Paragraph II C(5) of the Policy;

(b) The written summary and recommendations of the investigating party as provided in Paragraph II C(6) of the Policy; and

(c) The findings of the supervisor ruling on the complaint together with the disciplinary action imposed, if any, and the reasons therefor.

3. Within seven work days of the date of the supervisor's transmittal letter, all interested parties may submit written comments, together with case law, if appropriate, to the chief circuit judge, Sixth Judicial Circuit, with copies to all interested parties and the supervisor ruling on the complaint.

4. The findings of fact and conclusions of the supervisor hearing the complaint shall be held to be prima facie true and correct.

5. Within thirty-nine work days of receiving the supervisor's

transmittal letter, the chief circuit judge shall, after review of all reports, summaries, comments and findings, enter a written order:

(a) Affirming or reversing the supervisor in whole or in part;

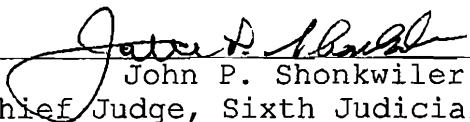
(b) Remanding the matter back to the supervisor for further investigation and/or hearing;

(c) Affirming the findings of fact and conclusions, but increasing or decreasing the discipline imposed, if any, under Paragraph II D of the Policy.

6. The chief circuit judge or his or her designee shall transmit the written order as provided in Paragraph 5 of this order to the supervisor and all interested parties.

7. Each presiding judge in the Sixth Judicial Circuit shall ensure all included employees are given a copy of Circuit Administrative Order 95-6 (AMENDED) together with a copy of the Supreme Court of Illinois Sexual Harassment Policy and Procedures attached thereto and file, in each employee's personnel file, the acknowledgment of receipt of this Policy and Administrative Order.

ENTER: October 23, 1995
EFFECTIVE: November 1, 1995
AMENDED: January 4, 2004
AMENDED: March 24, 2009
EFFECTIVE: March 24, 2009



John P. Shonkwiler
Chief Judge, Sixth Judicial Circuit

SUPREME COURT OF ILLINOIS

SEXUAL HARASSMENT POLICY AND PROCEDURES

I.

Statement of Policy on Sexual Harassment

It is the policy of the Supreme Court of Illinois to provide all state-paid judicial branch officials and state-paid judicial branch employees a work environment free of sexual harassment. The Supreme Court prohibits sexual harassment of and by its employees. Sexual harassment is inappropriate, offensive and illegal and will not be tolerated by the Supreme Court.

Sexual harassment is defined as any unwelcome sexual advances, or requests for sexual favors, or any conduct of a sexual nature when:

- (a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or,
- (b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or,
- (c) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment, such that the aggrieved party perceived the environment to be abusive and a reasonable person would find the environment to be hostile or abusive.

The Supreme Court directs all judicial and non-judicial supervisory personnel within the judicial branch to ensure their workplaces are free of sexual harassment. Judicial and supervisory personnel shall be responsible for supporting training on sexual harassment prevention and this sexual harassment policy. Judicial and supervisory personnel shall post and distribute this policy, encourage employees to report sexual harassment incidents and assure employees they do not have to endure a sexually harassing work environment.

A. Sexual Harassment Behavior - Examples

Sexual harassment, as defined above, most frequently involves a man harassing a woman. However, sexual harassment also can involve a woman harassing a man or harassment between members of the same gender. Sexually harassing behavior can include, but is not limited to, the following:

Verbal Behavior: Negative or offensive comments, jokes or suggestions about another employee's gender or sexuality, threats related to sexual conduct, repeated unwelcome requests for dates, statements about other employees of a sexual nature, obscene or lewd sexual comments; using slang names or labels that can be considered derogatory or too familiar, such as, "honey", "sweetie", "dear", "darling", "boy", "girl", or other terms people may find offensive; or

talking about or calling attention to an employee's body or characteristics in a sexually negative or embarrassing way.

Nonverbal Behavior: Sexually suggestive looks, sexually suggestive or insulting sounds (whistling, catcalls, smacking or kissing noises), or obscene or sexually suggestive bodily gestures.

Physical Behavior: Unwelcome pats, squeezes, hugs, kissing, pinching, repeatedly brushing against someone's body or actual sexual assault or abuse.

Visual Behavior: Displaying pictures, cartoons, posters, pinups, calendars, signs, etc., of a nude or sexual nature.

Other behavior that can constitute sexual harassment includes laughing at, ignoring or not taking seriously an employee who experiences sexual harassment; blaming the victim of sexual harassment for causing the problems; continuing the offensive behavior after a co-worker has expressed objection to the behavior; retaliating against an employee who rejects sexual advances by denying promotions or other job related benefits; or, gossiping about or ridiculing a victim or alleged harasser with respect to the alleged harassment.

B. Notification

Employees are encouraged to report incidents of sexual harassment and/or ask questions about conduct that may be considered sexual harassment in confidence and without fear of retaliation. Employees should immediately report incidents of sexual harassment in the manner set forth below. This includes employees who think they have witnessed another employee being sexually harassed. Any employee bringing a good faith sexual harassment complaint or assisting in the investigation of a complaint will not be adversely affected in terms and conditions of employment, nor discriminated against or discharged because of the complaint or assistance.

C. Confidentiality

The disclosure of allegations of sexual harassment shall be restricted to those individuals who have a "need to know". The complaint shall not be discussed with anyone other than those directly involved in the incident or the investigation process. It is as important to protect the confidentiality rights of the alleged harasser as it is the rights of the complainant.

D. Harassment by Non-Employees

With respect to incidents of sexual harassment where the offending individual is not an employee of the judicial branch, the appropriate judicial or supervisory personnel shall communicate the alleged conduct to the offending person and/or his or her employer. They shall be informed that the offensive conduct will not be tolerated and that steps must be taken to assure such actions do not reoccur.

E. Discipline

Complaints and cases of sexual harassment will be dealt with promptly. Employees who sexually harass others and/or supervisors who knowingly allow such activities to go on, subject themselves to the full range of disciplinary procedures, including reprimand, suspension or discharge, depending on the seriousness and/or frequency of the violations. In the most severe cases employees are subject to immediate discharge.

F. False and Frivolous Complaints

False and frivolous charges refer to cases where the accuser is using a sexual harassment complaint to accomplish some end other than stopping sexual harassment. It does not refer to charges made in good faith which cannot be proven. Given the seriousness of the consequences for the accused, a false and frivolous charge is a severe offense that can itself result in disciplinary action.

G. Application of Policy

This policy and the procedures set forth herein shall be applicable to all state-paid officials and state-paid employees of the Judicial Branch, whether full-time, part-time, temporary or contractual.

H. Further Information

Any employee who has questions about this policy should contact either the Kathleen L. Gazda, Equal Employment Opportunity (EEO) Officer at the Administrative Office of the Illinois Courts, 900 South Spring Street, Springfield, Illinois, 62704, 217/782-7770. All inquiries will be handled in the strictest confidence.

I. Review of Policy and Procedures

The Administrative Office of the Illinois Courts (hereinafter Administrative Office) is responsible for implementing this sexual harassment policy for the Judicial Branch. On an annual basis the Administrative Office shall review the policy and procedures and the developments in legislation relating to sexual harassment and shall submit a report of such review to the Supreme Court.

II. Procedures

A. Initial Step

An employee who believes she or he is sexually harassed may first identify the offensive behavior to the offending party as directly and firmly as possible and request that it stop. Employees are particularly urged to take this step if they believe that the offensive conduct may be unintentional. However, if the employee does not feel comfortable confronting the

offending party, or feels threatened or intimidated by the situation, or if the behavior does not cease after a confrontation with the offending party, the matter should be reported as set forth below.

B. Reporting

An employee's complaint of sexual harassment may be reported to his or her immediate supervisor, a higher supervisory authority and/or Kathleen L. Gazda, EEO Officer of the Administrative Office. If a complaint is filed with the EEO Officer, such officer shall either initiate an investigation of the complaint or forward the complaint to a proper party for investigation.

Examples of reporting procedures are as follows:

Employees of the Administrative Office may file complaints with their immediate supervisor, their Assistant Director or Kathleen L. Gazda, EEO Officer at the Administrative Office, Administrative Services Division.

Employees of the Circuit Court may file complaints with their immediate supervisor, the Chief Circuit Court Judge for the Circuit in which the employee is employed or Kathleen L. Gazda, EEO Officer of the Administrative Office, Administrative Services Division.

Employees of the Appellate Court may file complaints with their immediate supervisor, the Presiding Judge for the District in which the employee is employed (if employed in the Second through the Fifth Districts) or the Chairman of the Executive Committee (if employed in the First District) or Kathleen L. Gazda, EEO Officer of the Administrative Office, Administrative Services Division.

Employees of the Supreme Court may file complaints with their immediate supervisor, the Chief Justice of the Supreme Court or Kathleen L. Gazda, EEO Officer of the Administrative Office, Administrative Services Division.

Notwithstanding the foregoing, any complaint alleging that a member of the judiciary has committed an act of sexual harassment may be filed with the Judicial Inquiry Board at (312) 814-5554 and any complaint alleging that the Administrative Director of the Administrative Office has committed an act of sexual harassment may be filed with the Chief Justice of the Supreme Court or the person designated by the Chief Justice.

Complaints must be in writing, describing the alleged incident(s) of sexual harassment, the date(s) and time(s) of the incident(s) and any witnesses to the incident(s).

Any complaints of alleged sexual harassment which are received by judicial or supervisory personnel shall be reported in writing to the Administrative Director of the Administrative Office within 7 days, unless the alleged harasser is the Administrative Director

or a member of the judiciary. The Administrative Director is authorized to secure additional and/or follow-up information on any complaint of alleged sexual harassment.

C. Investigation

When an appropriate authority has received a complaint alleging sexual harassment, he or she shall promptly initiate an investigation of the complaint. The investigation may be conducted by the judicial or supervisory authority receiving the complaint or by an individual he or she has designated to conduct the investigation.

The complainant shall be assured of confidentiality in the investigation to the extent possible. The complainant should be made aware that in order to investigate the complaint to its fullest extent, it may be necessary to make his/her name known and/or necessary for the complainant to confront the alleged harasser. Disclosure of the allegation of sexual harassment shall be restricted to individuals who have a "need to know" in order to conduct a proper investigation.

The investigation shall include the following steps:

1. The investigating party shall conduct an interview with the employee registering the complaint. The intent of the interview is to determine a true and complete account of the complaint. The following information should be sought in the interview: severity of conduct; the number and frequency of acts of alleged harassment; the apparent intent of the alleged harasser; the relationship of the parties; the response of the complainant at the time of the incident(s); and the relevant work environment.
2. To the extent practicable, the investigating party shall interview all other individuals who witnessed or may have witnessed the incident or who may have knowledge of the incident.
3. The investigating party shall interview the alleged harasser and inform the individual that a complaint has been made against him or her. The individual shall be informed that the incident is not to be discussed with co-workers and that retaliatory action against the complainant will not be tolerated.
4. To the extent practicable, the investigating party shall review any other relevant information or evidence and/or interview any other relevant witnesses.
5. The investigating party shall make a written record of the interviews and any other aspects of the investigation.
6. The investigating party shall prepare a written summary of the finding of the investigation and, in appropriate cases, any recommendations for discipline.
7. The findings of the investigation shall be reported to a supervisor of the alleged harasser for appropriate action.

D. Disciplinary Action

The supervisor receiving the report of the investigation shall review the report and make a determination as to whether the individual charged has committed sexual harassment, and, if so, determine and impose the appropriate discipline. Where required by a collective bargaining agreement, and where not inconsistent with the supervisory and administrative authority of the Supreme Court, the discipline will be imposed pursuant to the relevant provisions of the collective bargaining agreement.

The discipline imposed shall reflect the severity of the improper conduct, taking into consideration the nature of the conduct, the frequency of the conduct, the relationship of the parties involved, the intent of the offending party, and any other relevant matters.

Available discipline for sexual harassment includes, but is not limited to, verbal reprimand, written reprimand, transfer, reassignment of duties, demotion, suspension or discharge. In the most severe and blatant cases of sexual harassment, the offending employee may be immediately discharged.

In all cases, the complainant shall be notified of the results of the investigation and the discipline imposed, if any.

E. Appeals

If either party (the complainant or the alleged harasser) is dissatisfied with the outcome of the investigation and/or the discipline imposed, that party must submit written notification to notify the supervisor who ruled on the complaint within seven days of being informed of the results of the investigation and the discipline, if any was imposed. If the supervisor receives timely notice that a party is dissatisfied with the outcome, the supervisor shall inform the dissatisfied party of the name of a higher supervisory authority, if any, to whom the matter may be taken for further review. The final supervisory authorities from whom review of sexual harassment proceedings may be sought within the Judicial Branch shall be the Chief Circuit Judge at the Circuit Court level, the Presiding Judge or Chairman of the Executive Committee at the Appellate Court level, the Director of the Administrative Office within the Administrative Office, and the Chief Justice at the Supreme Court level.

ACKNOWLEDGMENT OF RECEIPT OF THE
AMENDED SUPREME COURT'S SEXUAL HARASSMENT POLICY AND PROCEDURES
AND
AMENDED SIXTH JUDICIAL CIRCUIT ADMINISTRATIVE ORDER 95-6

I hereby acknowledge receipt of the amended Supreme Court's Sexual Harassment Policy and Procedures and amended Sixth Judicial Circuit Administrative Order 95-6.

Name: _____ County: _____ Position: _____
(Typed/printed)

Signature: _____ Dated: _____

Witness: _____ Dated: _____

**SIXTH JUDICIAL CIRCUIT
ADMINISTRATIVE SANCTIONS PROGRAM**

STATE'S ATTORNEY NOTIFICATION

Name: _____ Case Number: _____

Violation(s)	Date(s)	Seriousness

Sanction(s)	Length of Sanction

Conference Date _____

The above named individual

elects does not elect

to participate in the Sixth Judicial Circuit Administrative Sanctions Program.

Probation Officer

Date

CIRCUIT COURT OF ILLINOIS
SIXTH JUDICIAL CIRCUIT

ADMINISTRATIVE ORDER 95-7

**SUBJECT: REPORTING OF FOREIGN-BORN ADULT OFFENDERS TO
U.S. IMMIGRATION AND NATURALIZATION SERVICE**

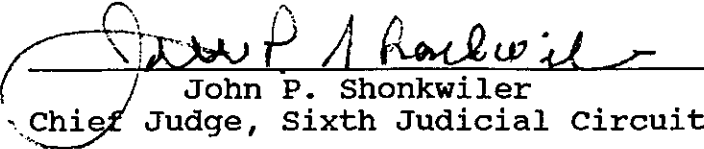
Pursuant to 730 ILCS 110/12/4, in all cases involving foreign-born adult offenders, the Probation and Court Services Department of each county within the Sixth Judicial Circuit shall transmit a report to U.S. Immigration and Naturalization Service, Criminal Investigation Unit I, 10 West Jackson Boulevard, Chicago, IL 60604, in substantially the same form as provided in Appendix 1 of this order.

The report shall be transmitted within seven (7) days after an order by the court directing a presentence investigation concerning a misdemeanor or felony offense, or, upon a plea agreement where no presentence investigation is conducted, within seven (7) days after a defendant is sentenced to probation or conditional discharge.

Within sixty (60) days of the effective date of this order, if such a report has not been previously transmitted, the Probation and Court Services Department of each county within the Sixth Judicial Circuit shall transmit a report to the U.S. Immigration and Naturalization Service of all foreign-born adult offenders presently serving a term of probation or conditional discharge.

ENTER: November 8, 1995

EFFECTIVE: November 15, 1995


John P. Shonkwiler
Chief Judge, Sixth Judicial Circuit

CIRCUIT COURT OF ILLINOIS
SIXTH JUDICIAL CIRCUIT

TO: U.S. IMMIGRATION AND NATURALIZATION SERVICE
CRIMINAL INVESTIGATIONS UNIT I
10 WEST JACKSON BOULEVARD
CHICAGO, ILLINOIS 60604 (312) 886-0423

FROM: PROBATION AND COURT SERVICES DEPARTMENT, _____ COUNTY
Address: _____ IL _____ Zip

FOREIGN-BORN ADULT OFFENDER REPORT

NAME: _____ D.O.B. _____ P.O.B. _____

HAS [] A PENDING PRE-SENTENCE INVESTIGATION, [] AN ACTIVE PROBATION/
CONDITIONAL DISCHARGE CASE IN THE ABOVE-STATED COUNTY.

ALIEN REGISTRATION NUMBER ("A") IF KNOWN: A _____

OFFENSE: _____ CASE NUMBER: _____

THE UNDERSIGNED OFFICER REQUESTS INFORMATION REGARDING THE PERSON'S STATUS WITH
THE U.S. IMMIGRATION AND NATURALIZATION SERVICE.

ASSIGNED PROBATION OFFICER: _____

SIGNATURE: _____ PHONE: _____

U.S. IMMIGRATION AND NATURALIZATION SERVICE RESPONSE

OUR RECORDS INDICATE THAT THIS PERSON IS CURRENTLY:

_____ A PERMANENT RESIDENT ALIEN (LEGAL IMMIGRANT). A _____

_____ NONIMMIGRANT ALIEN (SEE COMMENT)

_____ INVALID "A" NUMBER _____ NO I&NS RECORD _____ OTHER (SEE COMMENT)

FINAL U.S. IMMIGRATION AND NATURALIZATION SERVICE DISPOSITION:

_____ DEPORTED FROM THE U.S. TO _____ ON _____

_____ RELEASED ON BOND FROM I&NS CUSTODY. NEXT HEARING DATE _____

_____ OTHER (SEE COMMENT)

COMMENT: _____

IMMIGRATION OFFICER

TITLE

DATE

CIRCUIT COURT OF ILLINOIS
SIXTH JUDICIAL CIRCUIT

ADMINISTRATIVE ORDER 95-8

**SUBJECT: CONTINUING LEGAL/JUDICIAL EDUCATION FOR JUDGES OF THE
SIXTH JUDICIAL CIRCUIT**

I.

***GENERAL POLICIES CONCERNING CONTINUING
JUDICIAL EDUCATION***

1. Judges of the Sixth Judicial Circuit are required to attend 12 hours of judicial education each year in substantive legal topics commencing January 1, 1996. The Chief Circuit Judge may waive this requirement only upon good cause being shown. This requirement can be met by attending Judicial Conference educational programs or approved in-state or out-of-state programs sponsored by other providers.

2. The Chief Circuit Judge shall appoint a Committee on Education. No judge may attend a judicial educational program during court time unless the Committee on Education of the Sixth Judicial Circuit has approved that program as being of value to judges of the Sixth Judicial Circuit. Programs sponsored by the Judicial Conference are automatically approved.

3. Circuit and associate judges must obtain approval from their presiding judge to attend any course held during their scheduled court time and/or for which any portion of the cost of attendance is to be paid by any governmental agency.

4. Presiding judges should make every effort to accommodate a judge's request to attend an educational program, taking into consideration judicial staffing requirements and approval criteria as outlined in the following sections of this order. Reallocation of judicial resources and advance scheduling should be employed to allow a judge's attendance.

5. The Committee shall monitor and record the participation in both Judicial Conference and non-Judicial Conference educational programs by judges of the Sixth Judicial Circuit, maintain a record of each judge's attendance at educational programs, and report annually to the Chief Circuit Judge on the educational progress of each judge commencing January 1, 1996.

6. A judge who teaches a judicial education course shall be considered as having met the educational requirement in the year the course is taught.

II.

CRITERIA FOR APPROVAL BY THE PRESIDING JUDGE

In determining whether to approve attendance by a judge at a particular program or course, the presiding judge shall consider the following:

1. The goal of expanded judicial educational opportunities for judges of the Sixth Judicial Circuit.
2. The policy of accommodating requests of judges without necessarily disrupting the administration of court schedules.
3. The relevance of the particular course to the judge's present and/or potential assignments.
4. The judge's progress toward satisfying the annual educational requirement.
5. The need of the circuit to have a judge educated on a specific topic.
6. The goal of achieving a balance of judicial education attendance by all of the judges within the circuit.
7. The prior attendance at education courses by judges within the circuit, with a goal of equity in educational opportunity.
8. The number of years prior to the judge's mandatory retirement or announced intention to retire, with a goal of providing education to those judges with substantial time left in their judicial careers.
9. Whether a similar course has been taken by the judge, and if so, when the course was taken.

III.

NON-JUDICIAL CONFERENCE EDUCATIONAL PROGRAMS

***A. General Policy Governing Attendance at Non-Judicial
Conference Educational Programs***

1. The Committee shall notify each judge of the Sixth Judicial Circuit of non-Judicial Conference educational programs that it has approved.
2. Judges may attend non-Judicial Conference educational programs during their scheduled court time and/or for which any portion of the cost of attendance is to be paid by any governmental agency only if the program has been approved.
3. Attendance by a judge at an approved non-Judicial Conference educational program shall be credited toward fulfilling the annual judicial educational requirement. The number of credit hours given shall equal the number of credit hours awarded by the sponsoring organization for continuing legal or judicial education. If the sponsoring organization has not awarded continuing education hours, the Committee shall determine the number of credit hours to be awarded.

4. The Committee may also approve a non-Judicial Conference educational program given by a provider that has not been previously approved. In determining whether to approve a particular program for attendance, the Committee shall consider the following criteria:

- a. Whether the program is an organized program of learning that would contribute directly to the professional competency of judges of the Sixth Judicial Circuit.
- b. Whether the program deals primarily with matters directly related to Illinois law, professional responsibility, administrative or ethical obligations of a judge.
- c. Whether the course is to be taught by a person or persons qualified by practical or academic experience to teach the topic or area of discipline covered by the course.
- d. Whether high quality written materials are to be distributed to all judges participating in the course.
- e. Whether the course is of sufficient length to provide a substantial educational experience. Courses of less than one (1) hour will be reviewed carefully to determine if they furnish a substantial educational experience.

*B. Attendance at In-State Non-Judicial Conference
Educational Programs*

The presiding judge, in determining whether to approve attendance by a judge at an in-state non-Judicial Conference program or course, shall:

1. Only approve attendance at those non-Judicial Conference educational programs that have been approved by the Committee.
2. Consider the same criteria used when approving attendance at Judicial Conference educational programs.

*C. Procedure for Approving and Reporting Attendance at
In-State Non-Judicial Conference
Educational Programs*

1. Upon receiving an application to attend an in-state non-Judicial Conference educational program, the presiding judge shall consult the list of approved non-Judicial Conference programs. If the program appears on the list, the presiding judge may approve attendance. If the program does not appear on the approved list, the presiding judge shall contact the chairman of the Committee, and if recommended, the chairman will forward the request to the Chief Judge for final determination.

2. After a judge has attended an approved non-Judicial Conference educational program, the judge shall notify the Committee of the course attended, the date of the course, and a statement as to the value of said course.

D. Attendance at Out-of-State Educational Programs

A circuit or associate judge wishing to attend an out-of-state educational program held during court time and/or for which any portion of the cost of attendance is to be paid by any governmental agency must first obtain the approval of the presiding judge. Following approval by the presiding judge, the chief judge may approve the judge's application.

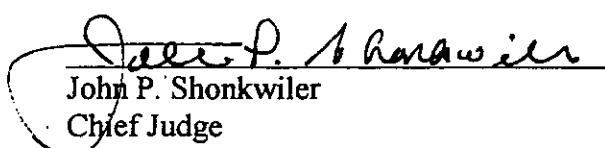
E. Criteria for Approval by the Chief Judge

The Chief Judge, in determining whether to approve attendance by a judge at a particular out-of-state program or course, shall consider:

1. Whether attendance at the out-of-state educational program has been approved by the Committee.
2. The same criteria used when approving attendance at Judicial Conference educational programs.
3. The policy that new judges are encouraged, but not required, to attend the General Jurisdiction course at the National Judicial College during the first two years of their service as judges.
4. The policy that judges may attend an out-of-state judicial education program at least once every five-year period, subject to the availability of funding.
5. Prior attendance, if any, at in-state and out-of-state course by the judge.
6. The judge's progress toward meeting the 12 hour education requirement.
7. Whether a course on the same topic is available in Illinois.
8. Whether the judge has attended at a similar course.

ENTER: December 18, 1995

Effective: January 1, 1996


John P. Shonkwiler
Chief Judge
Sixth Judicial Circuit

CIRCUIT COURT OF ILLINOIS
SIXTH JUDICIAL CIRCUIT

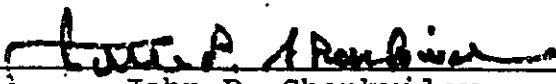
ADMINISTRATIVE ORDER 95-9

SUBJECT: LOCAL CIRCUIT COURT RULE WITH REFERENCE TO
SUPREME COURT RULE 218 - PRETRIAL PROCEDURE

Supreme Court Rule 218 Case Management Procedures are mandatory only for Law cases. In all other civil cases, Rule 218 shall be invoked at the discretion of the assigned judge.

ENTER: November 9, 1995

EFFECTIVE: (UPON APPROVAL OF THE ILLINOIS SUPREME COURT)
January 1, 1996



John P. Shonkwiler
Chief Judge, Sixth Judicial Circuit

IN THE SUPREME COURT
OF ILLINOIS

In re: Case Management Conference)
(Rule 218)) M.R. 11965
)

ORDER

The Chief Judges of the Sixth, Ninth, and Nineteenth Judicial Circuits having petitioned the Court for exceptions to the requirement of Supreme Court Rule 218, and the Court being fully advised in the premises;

IT IS ORDERED that the requests for exceptions are allowed and the following local rules, attached hereto, are approved, effective January 1, 1996:

Sixth Judicial Circuit	Administrative Order 95-9
Ninth Judicial Circuit	Local Rule G-17A
Nineteenth Judicial Circuit	Local Rule 3 Local Rule 17

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the Seal of said Court this 18th day of December, 1995.

Julianne Hornyak
Clerk,
Supreme Court of the State of Illinois.

FILED

DEC 18 1995

SUPREME COURT CLERK

CIRCUIT COURT OF ILLINOIS
SIXTH JUDICIAL CIRCUIT

CIRCUIT ADMINISTRATIVE ORDER 95-10

**SUBJECT: PROCEDURES FOR REQUEST FOR USE OF EAVESDROPPING
DEVICE AND ELECTRONIC CRIMINAL SURVEILLANCE**

1. All Circuit Judges and Associate Judges of the Sixth Judicial Circuit are hereby authorized to consider applications and issue orders for eavesdropping devices pursuant to 725 ILCS 5/108A and 108B.

2. Every application for eavesdropping or electronic surveillance shall be assigned an MR case number. These cases shall be handled only by the Circuit Clerk and up to two deputy clerks, specifically appointed and authorized by the Clerk of the Court to handle electronic eavesdropping cases. The Basic Record consisting of the case file and record sheet shall be sealed in accordance with the Supreme Court's Manual on Recordkeeping, Second Edition, Part 1, Section L.2. Pursuant to the Manual, the file folder shall be sealed with tape clearly identified as a court-ordered seal and stored in a locked cabinet or locked storage area. Case information maintained on an automated system, including but not limited to the index and record sheet, shall be accessible only to the Circuit Clerk or specifically authorized deputy. The judge may direct a court reporter, or other designated person, to type the record sheet entry.

3. The style of the case in matters involving 108A applications shall be: In the Matter of the Judicial Supervision of the Use of Eavesdropping Device by _____,
Police Agency/Agency's Case Number
and in cases involving applications pursuant to 108B: In the Matter of the Electronic Criminal Surveillance by _____,
Police Agency/

Agency's Case Number

4. A record sheet with the style of the case shall be initiated in each separate case, and shall include the names of all persons (or aliases, if appropriate) present at the application hearing and a notation of documents presented to the court without indicating on the record sheet any confidential matters contained in the petition, application, or other documents.

5. If the judge approves the application, an order shall be signed by the court and placed in the sealed file.

6. The judge shall place the application or petition, affidavits, consents, order and other appropriate documents in the case file folder which shall then be sealed and stored in the Clerk's office in accordance with paragraph 2 of this order. Whenever any subsequent activity occurs in the case, the circuit clerk or deputy clerks, specifically appointed and authorized by the Clerk of the Court to handle electronic eavesdropping cases,

shall transmit the sealed file folder to the judge who issued the order. The judge will break the seal, conduct any business relating to the case, and have the case file resealed and returned to the Clerk's office the same day. Before resealing the case file, the record sheet, whether made manually or on an automated system, shall be updated, and placed in the file. The record sheet entry shall include not only the case activity that occurred, but the time and date the case file was unsealed and resealed by judicial order.

7. The judge shall instruct the law enforcement agency to notify him or her in writing if the agency did not use the eavesdropping device and that there is no electronic tape.

8. At the time the application is approved and the order entered, the court shall automatically set the matter for a status hearing on a court day not more than 80 days from the date of the order.

9. If the law enforcement agency consummates the surveillance or intercept, and an electronic tape made of the conversation, the original tape shall be made available to the judge issuing the order for a determination by the court whether the conversations contained therein were within the parameters of the order, or were appropriately made in an emergency situation. The court shall enter on the record sheet such findings and determinations as appropriate. The original tape shall be sealed in an evidence envelope with the case number and style listed on the envelope, and kept in the custody of the law enforcement agency submitting the application. Upon reviewing the tape, the judge shall sign an order of review, and if the court determines that no conversations or recordings were made pursuant to the court's intercept order, the judge shall sign an order so finding.

10. The judge shall direct the State's Attorney to comply with the requirement of notice by giving appropriate notice and inventory pursuant to 108A-8, or 108B-11, as the case may be, and make such entry on the record sheet.

The State's Attorney shall present to the issuing judge a notice under 108A-8, and inventory under 108B-11, who shall cause to be served on all appropriate parties within a reasonable time, but not later than 90 days after:

a. termination of the period of the order, or its extension; or

b. denial of an application under 108A-3 or 108B-8.

Upon an ex parte showing of good cause, the service of the inventory under 108B-11 may be postponed for a period not to exceed 12 months.

11. The issuing judge shall insure that all pleadings and motions for inspection or hearing the tapes shall be noted on the

record sheet together with the court's rulings thereon.

12. If the recorded conversation is in a language other than English, the State's Attorney of the county in which the order authorizing the use of an eavesdropping device was obtained shall transfer the original tape recording, and a copy thereof, to the court issuing the order authorizing the use of the eavesdropping device. The State's Attorney of that county shall file a written request for appointment of a translator, in a form substantially as prescribed in Appendix 14 of this Administrative Order, to transcribe and translate the language spoken in the taped conversation into English.

(a). If the court determines a translation should be made, it shall execute an Order Appointing Translator, in a form substantially as prescribed in Appendix 14 of this Administrative Order, appointing a competent translator to transcribe and translate the recorded conversation on the tape or tapes provided by the State's Attorney, and shall provide the translator a copy of the tape or tapes of the recorded conversation. The court shall retain the original tape or tapes of the recorded conversation.

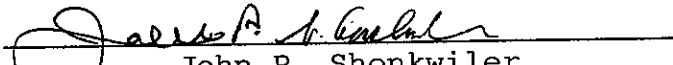
(b). The court-appointed translator shall transcribe and translate the recorded conversation and forthwith return the copy of the tape or tapes, together with the transcription and translation, to the court issuing the order to transcribe and translate. The translator shall not keep a copy of the transcription and translation, and shall execute a certification of transcription and translation, in a form substantially as prescribed in Appendix 15 of this Administrative Order, certifying that he or she transcribed and translated the material correctly and truthfully to the best of his or her skill and that he or she will not reveal the contents of the translation to any person or agency except the court issuing the order, officers of the law enforcement agency operating the eavesdropping devices, State's Attorney of the county wherein the Order Authorizing the Use of Eavesdropping Devices was obtained, in open court as a witness, or to any other person or agency as the court may direct.

13. The court may at any time order the destruction of the basic record, pursuant to the **Manual on Recordkeeping**, Part 1, Section K(e). The authorized Clerk of the court will in turn request permission to destroy the basic record from the Administrative Office of the Illinois Courts (AOIC). Upon receiving approval for destruction from the AOIC, the basic record may be destroyed. Pursuant to the **Manual**, if the court does not enter an order to destroy the basic record, the authorized Clerk of the Court may request permission from the AOIC to destroy 10 years from the filing of the application for eavesdropping.

surveillance without the approval of the court. The judge shall authorize destruction of the tapes at the time the basic record is destroyed, unless good reason is shown for the preservation thereof.

14. All applications, notices, consents and orders shall be in substantially the same form as in Appendices 1 through 15 of this order.

ENTER: December 29, 1995
EFFECTIVE: January 1, 1996
AMENDED: August 13, 2004
EFFECTIVE: Immediately
AMENDED: December 10, 2007
EFFECTIVE: January 1, 2008



John P. Shonkwiler
Chief Judge, Sixth Judicial Circuit

shall transmit the sealed file folder to the judge who issued the order. The judge will break the seal, conduct any business relating to the case, and have the case file resealed and returned to the Clerk's office the same day. Before resealing the case file, the record sheet, whether made manually or on an automated system, shall be updated, and placed in the file. The record sheet entry shall include not only the case activity that occurred, but the time and date the case file was unsealed and resealed by judicial order.

7. The judge shall instruct the law enforcement agency to notify him or her in writing if the agency did not use the eavesdropping device and that there is no electronic tape.

8. At the time the application is approved and the order entered, the court shall automatically set the matter for a status hearing on a court day not more than 80 days from the date of the order.

9. If the law enforcement agency consummates the surveillance or intercept, and an electronic tape made of the conversation, the original tape shall be made available to the judge issuing the order for a determination by the court whether the conversations contained therein were within the parameters of the order, or were appropriately made in an emergency situation. The court shall enter on the record sheet such findings and determinations as appropriate. The original tape shall be sealed in an evidence envelope with the case number and style listed on the envelope, and kept in the custody of the law enforcement agency submitting the application. Upon reviewing the tape, the judge shall sign an order of review, and if the court determines that no conversations or recordings were made pursuant to the court's intercept order, the judge shall sign an order so finding.

10. The judge shall direct the State's Attorney to comply with the requirement of notice by giving appropriate notice and inventory pursuant to 108A-8, or 108B-11, as the case may be, and make such entry on the record sheet.

The State's Attorney shall present to the issuing judge a notice under 108A-8, and inventory under 108B-11, who shall cause to be served on all appropriate parties within a reasonable time, but not later than 90 days after:

a. termination of the period of the order, or its extension; or

b. denial of an application under 108A-3 or 108B-8.

Upon an ex parte showing of good cause, the service of the inventory under 108B-11 may be postponed for a period not to exceed 12 months.

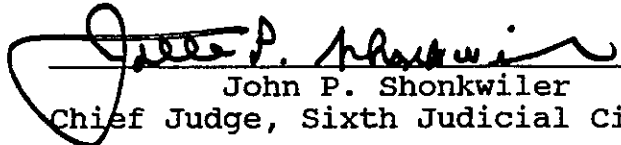
11. The issuing judge shall insure that all pleadings and motions for inspection or hearing the tapes shall be noted on the

record sheet together with the court's rulings thereon.

12. The authorized Clerk of the Court shall insure that the file is brought to the judge who approved the application and issued the order, or to the Presiding Judge of the county if such judge is unavailable, ten years from the date of the order allowing or renewing application for the use of eavesdropping for electronic criminal surveillance. The judge shall then authorize the destruction of all matters in the file and the tapes unless good reason is shown for the preservation thereof.

13. All applications, notices, consents and orders shall be in substantially the same form as in Appendix 1 through 13 of this order.

ENTER: December 29, 1995
EFFECTIVE: January 1, 1996



John P. Shonkwiler
Chief Judge, Sixth Judicial Circuit

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IN THE CIRCUIT COURT OF ILLINOIS
SIXTH JUDICIAL CIRCUIT
_____ COUNTY

ORDER OF APPROVAL OF EAVESDROPPING DEVICE
WITHOUT PRIOR JUDICIAL APPROVAL - EMERGENCY
(725 ILCS 5/108A-6)

1. _____, a law enforcement officer employed by _____, has sworn and affirmed that an emergency situation existed pursuant to 725 ILCS 5/108A-6 wherein the conversation to be overheard will occur within a short period of time, and

() the use of the eavesdropping device was necessary for the protection of the law enforcement officer;
() the conversation occurred in a situation involving a clear and present danger of imminent death or great bodily harm resulting from:

() a kidnapping or the holding of a hostage by force or the threat of the imminent use of force; OR

() the occupation by force or the threat of the imminent use of force of any premises, place, vehicle, vessel or aircraft.

2. The law enforcement officer () did have approval of the State's Attorney; () did not have approval of the State's Attorney but made a reasonable effort to contact the appropriate State's Attorney.

3. The above-named officer reasonably believed that an order permitting the use off the device would have issued were a prior hearing held.

4. The application for an order approving the previous or continued use of the eavesdropping device was made within 48 hours of the commencement off such use.

THE COURT THEREBY FINDS:

A. That the court would have granted an order had the said information been before it prior to the use of the device; and

B. That an emergency situation existed as defined by 725 ILCS 5/108A-6(a).

ENTER: _____
Time/Date

CIRCUIT/ASSOCIATE JUDGE OF THE CIRCUIT COURT
SIXTH JUDICIAL CIRCUIT

IN THE CIRCUIT COURT OF ILLINOIS
SIXTH JUDICIAL CIRCUIT
_____ COUNTY

ORDER FOR EMERGENCY USE OF EAVESDROPPING DEVICE
(725 ILCS 5/108B-8)

An informal application has been made by _____
_____, State's Attorney of _____ County; and
the court has determined that:

1. There may be grounds upon which an order authorizing the interception of private oral communications could be issued under Article 108B, and

2. There is probable cause to believe that an emergency situation exists with respect to an investigation of an offense as enumerated under Section 108B-3, specifically _____
_____, and

3. There is probable cause to believe that a substantial danger to life or limb exists justifying the authorization for immediate interception of a private oral communication before formal application for an order could be submitted with due diligence and acted upon by the court.

IT IS HEREBY ORDERED THAT an oral approval of the interception is given by the court without a written order, conditioned upon a filing with the issuing judge an application for an order under 108B-4 within 48 hours thereof.

ENTER: _____
Time/Date

CIRCUIT/ASSOCIATE JUDGE OF THE CIRCUIT COURT
SIXTH JUDICIAL CIRCUIT

IN THE CIRCUIT COURT OF ILLINOIS
SIXTH JUDICIAL CIRCUIT
_____ COUNTY

**ORDER APPROVING INTERCEPTION OF A PRIVATE ORAL COMMUNICATION
WITHOUT PRIOR JUDICIAL APPROVAL, 725 ILCS 5/108B-12**

1. On _____, an order approving use of an electronic eavesdropping device was entered.

2. On _____, a certified electronic criminal surveillance officer, _____, while intercepting a private oral communication in accordance with the provision of Article 108B intercepted a private oral communication that related to an offense:

() other than offense enumerated in Section 108B-3, specifically the offense(s) of _____.

() enumerated in Section 108B-3 but not specified in the order of authorization, specifically the offense(s) of _____.

3. That () _____, the State's Attorney of _____ County; () a person designated in writing or by law to act for him; has moved that the court approve the interception and to permit the use and disclosure of the information under Section 108B-2a.

THE COURT HEREBY FINDS THAT:

A. Probable cause existed to believe the person whose private oral communication was intercepted was committing or had committed an offense and the content of the communication related to that offense, and that the communication was otherwise intercepted in accordance with the provisions of 108B.

IT IS THEREFORE ORDERED THAT:

1. The motion of the State's Attorney is allowed.
2. The interception and use of the information therefrom is hereby approved.

ENTER: _____

CIRCUIT/ASSOCIATE JUDGE OF THE CIRCUIT COURT
SIXTH JUDICIAL CIRCUIT

IN THE CIRCUIT COURT OF ILLINOIS
SIXTH JUDICIAL CIRCUIT
_____ COUNTY

**STATE'S ATTORNEY'S AUTHORIZATION FOR AN APPLICATION
AND ORDER APPROVING THE USE OF AN EAVESDROPPING DEVICE
(725 ILCS 5/108A-1)**

_____, agent of the _____
_____, having the responsibility for the
investigation of felonies under Illinois law, is hereby author-
ized to make application to a Judge of the Circuit Court in
_____ County for an order authorizing or approv-
ing the use of an eavesdropping device to overhear and record a
conversation, or conversations, expected to occur, between
_____, a consenting party, and
_____, which is/are expected to occur
between ____ a.m./p.m. on _____, and ____ a.m./p.m. on
_____.

The contents of any conversation learned through such elec-
tronic surveillance shall be released or divulged only as permit-
ted by 725 ILCS 5/108A-2.

DATED: _____

TIME: _____

STATE'S ATTORNEY

IN THE CIRCUIT COURT OF ILLINOIS
SIXTH JUDICIAL CIRCUIT
_____ COUNTY

**CONSENT BY PARTY TO CONVERSATION TO BE SUBJECT TO
ELECTRONIC SURVEILLANCE BY USE OF AN EAVESDROPPING DEVICE
(725 ILCS 5/108A-3)**

_____ of _____,
(Name) (Address)
hereby voluntarily give my consent to the _____
(Law Enforcement Agency)
and any and all agents it might designate, to conduct electronic
surveillance, by the use of an eavesdropping device, of a conver-
sation, or conversations expected to occur, between myself and
_____ between _____ at _____
(Date)
a.m./p.m. and _____ at _____ a.m./p.m. I hereby cer-
(Date)
tify that there have been no threats or coercion to induce me to
sign this consent, and I do so knowingly and voluntarily.

CONSENTING PARTY

DATED: _____

TIME: _____

WITNESS

IN THE CIRCUIT COURT OF ILLINOIS
SIXTH JUDICIAL CIRCUIT
_____ COUNTY

**APPLICATION FOR ORDER AUTHORIZING USE OF EAVESDROPPING DEVICE
(ONE-PARTY CONSENT)
(725 ILCS 5/108A-3)**

_____, Applicant, now appears before the undersigned Judge of the Circuit Court of _____ County and requests the issuance of an order authorizing the use of an eavesdropping device, and states as follows:

1. Applicant is an officer of the _____
_____;

2. _____, State's Attorney for _____ County, Illinois, has authorized this application;

3. The following are the facts and circumstances detailing a felony which [] has been [] is being [] is about to be, committed: _____

_____;

4. The following is a description of the communication sought to be monitored: _____

_____;

5. _____ is the party to the expected conversation consenting to the use of the eavesdropping device;

6. _____ is the party whose conversations are to be overheard by the eavesdropping device;

7(a). The use of the device to be maintained from _____ a.m./p.m. on _____ until _____ a.m./p.m. on _____
(Date)

(Date);

() 7.(b) The nature of the investigation is such that the authorization for use of the device should not terminate automatically when the described type of communication is overheard or recorded, and there is reasonable cause to believe that additional conversations of the same type will occur thereafter based upon the following facts: _____
_____;

() 8(a). Applicant knows of no previous applications requesting permission to use an eavesdropping device involving the same persons as in this application;

OR

8.(b) The following applications have previously been made to a judge requesting permission to use an eavesdropping device involving the same persons as in this application and the judge's actions taken on the previous applications are as follows: (Attach complete statement[s] of previous applications, date[s] thereof, case number(s) and judicial action taken);

() 9. This application is presented for an extension of a previous order issued by Judge _____ on _____ and authorizing the use of an eavesdropping device during the period from _____ a.m./p.m. on _____ until _____ a.m./p.m. on _____; () the results so far obtained from the use of the eavesdropping device, or () the failure to obtain results from the eavesdropping device, are as follows:

APPLICANT

Subscribed and sworn to before me this _____ day of _____, 19____.

CIRCUIT/ASSOCIATE JUDGE OF THE CIRCUIT COURT
SIXTH JUDICIAL CIRCUIT

IN THE CIRCUIT COURT OF ILLINOIS
SIXTH JUDICIAL CIRCUIT
_____ COUNTY

**APPLICATION FOR ORDER AUTHORIZING
INTERCEPTION OF PRIVATE ORAL COMMUNICATIONS
(NO CONSENT -- 725 ILCS 5/108B-3)**

() 1. Applicant, _____, is the State's Attorney of _____ County; OR

() 2. Applicant, _____, is the Assistant State's Attorney of _____ County, and is authorized by the State's Attorney of said county to act for him or her as witnessed by his/her signature at the end of this application.

() 3. _____, Certification No. _____, is the electronic criminal surveillance officer for whom the authority to intercept a private oral communication is sought.

() 4(a). The interception may provide evidence of, or may assist in the apprehension of a person who () has committed () is committing or () is about to commit, the offense(s) enumerated under 108B-3, specifically, _____
(Specify Violation)
in violation of 725 ILCS _____; OR

() 4(b). There is clear and present danger of imminent death or great bodily harm to persons resulting from () a kidnapping or the holding of a hostage by force or the threat of imminent use of force, or () the occupation by force or the threat of the imminent use of force of any premises, place, vehicle, vessel or aircraft; () to aid in an investigation or prosecution of a civil action brought under the Illinois Streetgang Terrorism Omnibus Prevention Act, the Court finds there is probable cause to believe the interception of the private oral communication will provide evidence that a streetgang () is committing, () has committed, or () will commit a second or subsequent gang-related offense or that the interception of the private oral communication will aid in the collection of a judgment entered under that Act; or () upon information and belief that a streetgang () has committed, () is committing, or () is about to commit a felony; based upon the following facts: _____

5. The identity of the particular person who is committing, is about to commit, or has committed the offense or offenses and whose communication is to be intercepted is _____, based upon the following facts and details: _____

6. The particular type of communication to be intercepted is: _____

7. The character and location of the particular wire communication facilities involved or the particular place where the oral communication is to be intercepted is as follows: _____

8. There is probable cause to believe that the communication will be communicated on the particular wire communication facility involved or at the particular place where the oral communication is to be intercepted, based upon the following facts and details: _____

9. The objective of the investigation is as follows: _____

() 10(a). Other normal investigation procedures with respect to the offense have been tried and have failed in that: _____

_____ ; OR

() 10(b). Other normal investigative procedures with respect to the offense reasonably appear to be unlikely to succeed if tried because: _____

_____ ; OR

() 10(c). Other normal investigative procedures with respect to the offense are too dangerous to employ because: _____

11. The period of time for which the interception is re-

quired to be maintained is from _____ a.m./p.m. on _____ until _____ a.m./p.m. on _____.

() 12. The period of authorization sought represents an extension of a previous order entered by Judge _____ on _____ for a period ending _____; and the following are facts showing the results obtained from the interception or an explanation of the failure to obtain results:

() 13(a). No previous applications have been made to any court for authorization to intercept an oral communication involving any of the same facilities or places specified in this application or involving any person whose communication is to be intercepted; OR

() 13(b). The following is a statement of facts concerning all previous applications made to any court for authorization to intercept an oral communication involving any of the same facilities or places specified in this application or involving any person whose communication is to be intercepted: (Attach complete statement[s] of previous application[s], date[s] thereof, case numbers, and judicial action[s] taken)

() 14. Authorization for interception should not automatically terminate when the described type of communication has been first obtained, since there is probable cause to believe that additional communications of the same type will continue to occur based upon the following facts and details: _____

15. A proposed order of authorization is attached hereto.

WHEREFORE, the Applicant moves that this court authorize the interception of the private oral communications set forth herein.

APPLICANT

State's Attorney of _____ County
(if not the Applicant)

AFFIANT-APPLICANT

Subscribed and sworn to before me this _____ day of _____, 19____.

**CIRCUIT/ASSOCIATE JUDGE OF THE CIRCUIT COURT
SIXTH JUDICIAL CIRCUIT**

IN THE CIRCUIT COURT OF ILLINOIS
SIXTH JUDICIAL CIRCUIT
_____ COUNTY

ORDER AUTHORIZING USE OF AN EAVESDROPPING DEVICE
(ONE-PARTY CONSENT -- 725 ILCS 5/108A-5)

On this day _____, Applicant, has subscribed and sworn to before me an application for () authorization () extended authorization for use of an eavesdropping device. Upon examination of application, I find that:

1. _____ has consented to the use of an eavesdropping device and will participate in the conversation or conversations; and

2. There is reasonable cause to believe that an individual is committing, has committed, or is about to commit a felony under Illinois Law; and

3. There is reasonable cause for believing that particular conversations concerning that felony offense will be obtained through such use; and

() 4. (For an Extension Order) That an extended use of an electronic eavesdropping device is warranted by virtue of said reasonable cause.

THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED:

That authorization to use an eavesdropping device is granted to the _____ for the purpose of overhearing and recording a conversation or conversations which is/will occur between _____ a.m./p.m. on _____ and _____ a.m./p.m. on _____ to which _____, a consenting person and _____ will be parties; and that this authorization () shall () shall not automatically terminate when the described conversations have been obtained. () Period not to exceed 30 days. Extensions only for periods not to exceed 30 days.

Any conversations overheard or received shall include the above-named consenting party, and any recordings thereof shall be made available to me in accordance with 725 ILCS 5/108A-7(b).

CIRCUIT/ASSOCIATE JUDGE OF THE CIRCUIT COURT
SIXTH JUDICIAL CIRCUIT

Time and date of issuance: _____

IN THE CIRCUIT COURT OF ILLINOIS
SIXTH JUDICIAL CIRCUIT
_____ COUNTY

ORDER AUTHORIZING INTERCEPTION OF PRIVATE ORAL COMMUNICATION
(NO CONSENT -- 725 ILCS 5/108B-7)

On this date _____, applicant, has subscribed and sworn to an application in which authorization to utilize electronic criminal surveillance device(s) was requested. Upon examination of said Application and consideration of any further information received by the court in support of said application, the court finds:

1. Said application was requested by _____, officer/agency of _____, a law enforcement agency, and was authorized by _____, State's Attorney in and for _____ County; and said application is/is not an application for an extension of authorization previously entered.

2. (a) There is probable cause to believe that _____, whose communication is to be intercepted, is committing, has committed or is about to commit the offense(s) of _____ in violation of 720 ILCS _____ and that a particular communication concerning such offense may be obtained through the interception; OR

2. (b) There is probable cause to believe that the facilities from which, or the place where, the private oral communication is to be intercepted, [] is, [] has been, [] or is about to be, used in connection with the commission of the offense(s) of _____ in violation of 720 ILCS _____ or is leased to, listed in the name of, or commonly used by, the person named in Paragraph 2(a) above, whose communications are to be intercepted, and that a particular communication concerning such offense may be obtained through the interception; OR

2. (c) There is clear and present danger of imminent death or great bodily harm to persons resulting from [] a kidnapping or the holding of a hostage by force or the threat of imminent use of force or [] the occupation by force or the threat of the imminent use of force of any premises, place, vehicle, vessel or aircraft.

3. There is probable cause to believe that the communication on the particular communication facility involved or at the particular place where the oral communication is to be intercepted.

4. The particular type of communication to be intercepted, which relates to all offenses enumerated in Paragraph 2(1) or 2(b) above, is _____

5. The character and location of the particular communication facilities as to which, or the particular place of the communications as to which, authority to intercept is hereinafter granted, are as follows: _____

6. The electronic criminal surveillance officer to whom authority to intercept a private oral communication is hereinafter given is _____, whose certification number is _____, said officer having been certified by the Illinois Department of State Police; and the person who authorized the application is _____, State's Attorney in and for _____ County.

7. Normal investigative procedures with respect to offenses enumerated above have been tried and have failed or reasonably appear to be unlikely to succeed if tried, or too dangerous to employ.

() 8. The application seeks an order to intercept a communication of a person or on a wire communication facility that was the subject of a previous order authorizing interception, and said application is based upon new evidence of information different from and in addition to the evidence or information offered to support the prior order. (Attach statement)

9. Applicant has fulfilled all other statutory prerequisites to obtaining authorization for interception of private oral communications pursuant to said Application.

10. This court is authorized to enter this order pursuant to 725 ILCS 5/108B-1(b) in that the undersigned judge is a Circuit Judge or Associate Judge of the Sixth Judicial Circuit designated by the Chief Judge to execute such orders pursuant to Administrative Order 95-10.

IT IS HEREBY ORDERED:

A. That _____, the electronic criminal surveillance officer referred to above, is authorized for the period beginning at _____ a.m./p.m. on _____, 19____, and ending at _____ a.m./p.m. on _____, 19____, to intercept, through the wire communication facilities or at the place set forth in Paragraph 5 above, private oral communications of _____ which are of the type set forth in Paragraph 4 above and which relate to the offense(s) of _____; and

B. That the interception hereby authorized shall shall not automatically terminate when the described communication has been first obtained; and

C. That the interception hereby authorized shall begin and terminate as soon as practicable and be conducted in such a manner as to minimize the interception of communications not otherwise subject to interception; and

D. That the State's Attorney authorizing the application herein shall cause reports to be made to me every _____ days after the date of issuance of this authorization showing what progress has been made toward achievement of the authorized objective and the need for continued interception; and

() E. That _____, a communications common carrier, landlord, owner, building operator, custodian, other person, _____, is ordered to furnish the applicant forthwith all information, facilities and technical assistance (to include conducting an in-progress trace) necessary to accomplish the interception unobtrusively and with a minimum of interference with the services that said entity or person is affording the person whose communication is to be intercepted; and

() F. That the electronic surveillance officer hereinabove named is authorized to enter into the subject place or facilities as often as necessary for the purpose of installing, maintaining or removing an intercepting device where the entry is necessary to conduct or complete the interception; and said officer or the applicant herein shall notify me of the fact of each entry prior to entry, if practicable, and, in any case, within 48 hours of entry.

() G. Any recordings made of conversations overheard shall be made available to me in accordance with 725 ILCS 5/108B-9 and shall be sealed and maintained by the _____

(Law Enforcement Agency)

until further order of this court; provided, however, that such recording shall not be destroyed for at least ten years except upon written order of the undersigned judge.

H. Cause continued for status to *_____, 19____, at _____ a.m./p.m., Courtroom _____. (*not more than 80 days from date of issuance of order)

TIME/DATE OF ISSUANCE

CIRCUIT/ASSOCIATE JUDGE OF THE CIRCUIT COURT
SIXTH JUDICIAL CIRCUIT

IN THE CIRCUIT COURT OF ILLINOIS
SIXTH JUDICIAL CIRCUIT
_____ COUNTY

ORDER OF REVIEW AND RETENTION OF RECORDINGS
MADE BY EAVESDROPPING DEVICE
(725 ILCS 5/108A-7)

Now on this _____ day of _____, 19____,
the undersigned judge has reviewed the use of eavesdropping
devices pursuant to 725 ILCS 5/108A-7 and finds:

1. That _____, and agent for the
_____, has been conducting
a felony investigation into possible offenses of _____
_____ in the County of _____,
State of Illinois.

2. That as part of that ongoing criminal investigation,
said agent applied for and received an order authorizing _____
_____, hereinafter referred to as

(Law Enforcement Agency)
"agency" to use an eavesdropping device in that, on _____,
19____, at approximately _____ a.m./p.m., Judge
_____ entered an order authorizing said
agency to use an eavesdropping device for the purpose of
overhearing and recording conversations which were likely to
occur between _____ a.m./p.m. on _____,
19____, and _____ a.m./p.m. on _____, 19____,
and as to which _____ was the consenting
party and _____ would be the other party
to be overheard.

3. That during the authorized eavesdropping period set
forth above, conversations between _____
and _____ were overheard and
recorded as permitted by law.

4. That immediately after the expiration of the period of
the order authorizing use of eavesdropping device, _____
_____ tendered and made available to the
judge issuing said order all of the recordings made pursuant to
that order.

5. That the undersigned judge, who issued said order,
instructed the _____ to main-
tain the tape in its care and custody until said judge had oppor-
tunity to listen to said tape or tapes.

6. That on _____, 19____, the
undersigned judge listened to all tapes made as a result of the

above-described order and determined that the conversations thereon were within the confines of said order.

IT IS HEREBY ORDERED:

A. That the conversations recorded on a tape or comparable device pursuant to the Order Authorizing Use of Eavesdropping Device entered _____, 19____, are determined to be within the Order Authorizing Use of Eavesdropping Device.

B. That the recording of conversations overheard by eavesdropping devices as a result of said Order shall be sealed and custody shall be maintained by the _____ until further order of this court; PROVIDED, however, that such recording shall not be destroyed for at least ten (10) years except upon written order of court.

C. That a copy of this Order of Review and Retention of Recordings Made by Use of Eavesdropping Device shall be retained with the tape recordings made as a result of the above-described Order Authorizing Use of Eavesdropping Device issued by the undersigned judge.

D. That the State's Attorney of _____ County shall prepare and present to the undersigned judge a "Notice to Parties Overheard" as required by 725 ILCS 5/108A-8, and the judge shall cause the notice to be served on all appropriate parties within a reasonable time, but not later than 90 days after termination of the period of the order or extension thereof, or denial of the application.

E. That the contents of the conversations overheard by the eavesdropping device shall not be disclosed except upon written order of a judge as required by statute; PROVIDED, that _____ is given leave to make duplicate tapes for law enforcement use only prior to sealing the tapes.

F. Cause continued for status to * _____, 19____, _____ a.m./p.m., Courtroom _____. (*not more than 80 days from date of issuance of order)

DATED THIS _____ DAY OF _____, 19____.

CIRCUIT/ASSOCIATE JUDGE OF THE CIRCUIT COURT
SIXTH JUDICIAL CIRCUIT

IN THE CIRCUIT COURT OF ILLINOIS
SIXTH JUDICIAL CIRCUIT
_____ COUNTY

IN THE MATTER OF THE INVESTIGATION:)

OF)

NO. _____)

ORDER OF REVIEW
(NO RECORDING MADE - 725 ILCS 5/108A-7)

Now on this _____ day of _____, 19____, the undersigned judge has reviewed the use of Eavesdropping Devices pursuant to 725 ILCS 5/108A-7, and FINDS:

1. That _____, and agent for the _____, has been conducting a felony investigation into possible offense(s) of _____, in the County of _____, State of Illinois.

2. As part of that ongoing criminal investigation, said officer applied for and received an order authorizing said agency to use an eavesdropping device in that:

On _____, at approximately _____, Judge _____ entered an order authorizing said agency to use an eavesdropping device for the purpose of over-hearing and recording conversations which were likely to occur between _____ a.m./p.m.. on _____, and _____ a.m./p.m. _____ in which _____ was the consenting party and _____ would be other party to be overheard.

3. That during the authorized eavesdropping period set forth above, no conversations between these individuals were overheard.

4. That immediately after the expiration of the period of the Order Authorizing Use of Eavesdropping Device, said officer notified the court that no recordings were made pursuant to this order.

IT IS THEREFORE ORDERED:

A. That the court determines that no conversation or recordings of conversation were made pursuant to the Order Authorizing Use of Eavesdropping Device issued on _____.

B. That the State's Attorney of _____ County shall within the time period provided by statute prepare and present to the undersigned Judge a "Notice to Parties off Overhear" as required by 725 ILCS 5/108A-8.

DATED THIS _____ DAY OF _____, 19____.

CIRCUIT/ASSOCIATE JUDGE OF THE CIRCUIT COURT
SIXTH JUDICIAL CIRCUIT

IN THE CIRCUIT COURT OF ILLINOIS
SIXTH JUDICIAL CIRCUIT
_____ COUNTY

TO:

(Name)

(Address)

(City) (State) (Zip)

A PERSON:

- () named in the application or order;
- () whose conversation was recorded and which the court has directed that notice be given.

NOTICE
725 ILCS 5/108A-8

Take notice that an order was entered on _____,
19___, at _____ authorizing/denying the use of an
eavesdropping device for a period from _____ a.m./p.m. on
_____ until _____ a.m./p.m. on _____;
and that during said period an eavesdropping device () was
() was not used to overhear conversations, and such conversa-
tions () were () were not recorded.

DATED: _____

STATE'S ATTORNEY

IN THE CIRCUIT COURT OF ILLINOIS
SIXTH JUDICIAL CIRCUIT
_____ COUNTY

TO:

(Name)

(Address)

(City) (State) (Zip)

A PERSON:

- () named in the order obtaining use of eavesdropping device;
- () arrested, indicted or charged as a result of an interception of private oral communication;
- () whose private oral communication was intercepted and the judge issuing/denying the application determined such person should be so informed.

**NOTICE AND INVENTORY PURSUANT TO
725 ILCS 5/108B-11**

TAKE NOTICE THAT:

1. On _____, the court entered an order
() allowing () denying an application for use of an eavesdropping device for a period commencing on _____
at _____ a.m./p.m. to _____ at _____ a.m./p.m.

2. During the above-stated period, a private oral communication () was () was not intercepted.

DATED: _____

STATE'S ATTORNEY