

**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
CHAMPAIGN COUNTY, ILLINOIS**

COUNTY ADMINISTRATIVE ORDER 2022-8

SUBJECT: IMPLEMENTATION OF SAFE-T ACT

WHEREAS the SAFE T Act and related Acts (Acts) were adopted by the Illinois General Assembly, a prominent feature of which is the elimination of cash bail;

WHEREAS the Acts do not provide all necessary details as to some aspects of its implementation:

THEREFORE:

1. Any prior Administrative Order which is inconsistent with the Acts is hereby rescinded.
2. The Champaign County Public Defender is appointed to represent all persons, for purposes of the Acts, including but not limited to initial appearances and detention hearings, unless 1) other counsel has entered the case, 2) other counsel has been appointed by the Court, or 3) Defendant has chosen, after proper admonition, to proceed self-represented.
3. Court Services is authorized to share information with the Office of State Pretrial Services (OSPS) as it pertains to OSPS preparing detention reports and for supervision of defendants on pretrial release.
4. All reports prepared by OSPS shall be impounded; Court Services is authorized to have access to the reports as it pertains to preparing pre-sentence investigation reports and for supervision of defendants.
5. On weekends and holidays, the Court will conduct a *Gerstein* hearing within 48 hours of arrest. If probable cause is found and the State seeks detention, the matter may be set over for initial appearance on the next available Court business day (generally Monday).
6. Defendants shall appear remotely for all initial appearances. A Defendant may waive the right to be present for a detention hearing.
7. If a detention hearing is continued from the initial appearance, up to 48 hours, the time frame shall exclude weekends and holidays pursuant to the Statute on Statutes and well as the Court's authority to establish hours and days of Court operation.
8. Petitions to Revoke Release and Motions for Sanctions for violating conditions of release shall be assigned to the Arraignment Court judge for disposition due to the short time frame and other obligations by the trial court assigned to the matter.
9. Motions to Reconsider bail status/detention under the Acts shall be referred to the Arraignment Court judge for disposition due to the short time frame and other obligations by the trial court assigned to the matter.

This Order is effective January 1, 2023 unless the Illinois Supreme Court stays the implementation of the Acts at which point this Order takes effect upon Supreme Court Order.

Date: _____

12-29-22



Presiding Judge Randall B Rosenbaum