



Lake County Illinois

Legislation Details (With Text)

File #: 16-1095 **Version:** 1 **Name:** Ordinance Repealing Alternate Juror Fees
Type: resolution **Status:** Passed
File created: 10/25/2016 **In control:** Law & Judicial Committee
On agenda: **Final action:** 11/8/2016
Title: Ordinance to repeal the civil alternate juror fees established pursuant to Public Act 098-1132.
Sponsors:
Indexes:
Code sections:
Attachments:

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------------------------------|--|--------|
| 11/8/2016 | 1 | Lake County Board | adopted | Pass |
| 11/2/2016 | 1 | Financial & Administrative Committee | recommended for adoption to the consent agenda | Pass |
| 11/1/2016 | 1 | Law & Judicial Committee | approved and referred on to the Financial and Administrative Committee | Pass |

Ordinance to repeal the civil alternate juror fees established pursuant to Public Act 098-1132.

- Public Act 098-1132 effective on June 1, 2015, reduced the size of juries for civil cases from twelve to six jurors.
- Public Act 098-1132, also provided an additional fee for each alternate juror requested, with that fee to be established by the county.
- On August 11, 2015, Lake County adopted Section 35.25 of its Code or Ordinances establishing the alternate juror fee in accordance with Public Act 098-1132.
- The statutory authority under which Section 35.25 was adopted has been deemed unconstitutional, and the County no longer has the statutory authority to impose an alternate juror fee.
- It is recommended that the County repeal the civil alternate juror fee.

ORDINANCE

WHEREAS, Lake County adopted an alternate juror fee, set forth in Section 35.25 of the Lake County Code of Ordinances, in accordance with Public Act 98-1132; and

WHEREAS, the Illinois Supreme Court held that Public Act 98-1132 is unconstitutional in *Kakos v. Butler* 2016 IL 120377; and

WHEREAS, as the statutory authority under which Section 35.25 was adopted has been deemed unconstitutional, the County no longer has the statutory authority to impose an alternate juror fee.

NOW, THEREFORE, BE IT ORDAINED, by this County Board of Lake County, Illinois, that Section 35.25, Civil Alternate Juror Fee, of the Lake County Code of Ordinances is hereby repealed effective

immediately.

DATED, at WAUKEGAN, LAKE COUNTY, ILLINOIS, on this 8th day of November, 2016.