

Sixteenth Judicial Circuit Court

County of Kane

State of Illinois



2021 Annual Report

Office of the Chief Judge

Kane County Judicial Center

37W777 RT 38, Suite 400A | St. Charles, Illinois 60175

Illinois16thjudicialcircuit.org



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A Message from Chief Judge Clint Hull



2021 Year in Review: Moving Beyond the Pandemic

In 2021, the Sixteenth Judicial Circuit looked to move beyond the pandemic by tackling the backlog of cases created by COVID and looking for different opportunities to strengthen our Circuit. This annual report will show you that we did just that.

Inside of the courtrooms, we embraced the technological advances that were necessary to keep our Circuit operational in 2019 and 2020 to enhance our abilities in 2021. Despite many months of in-person court in 2021, Judges throughout the Circuit designed their court calls to allow for Zoom appearances. The Sixteenth Circuit continued to use text and email reminders to reduce the number of people who failed to appear for court, used social media platforms to increase our communication with attorneys and the public, and worked together to reduce the backlog of cases while seeing case filings and court calls gradually returning to pre-pandemic levels.

Outside of the courtroom, the Sixteenth Circuit had a number of accomplishments to celebrate. Our language access program was the only program in the State to use certified and registered interpreters in all cases resulting in significant cost savings to the County, our law library received a \$15,000 grant to assist self-represented litigants, an electronic recording system was installed at the 3rd Street Courthouse, and our paralegals and staff attorneys served over one thousand people who sought help in seeking Emergency Orders of Protection, Civil No-Contact Orders, or Stalking No Contact Orders.

I am proud to be the Chief Judge of the Sixteenth Judicial Circuit. Please take a moment to review our annual report to learn about the outstanding work performed throughout 2021 by our Circuit.

A handwritten signature in cursive that reads "Clint Hull".



Mission Statement

It is the mission of the judiciary of the Sixteenth Judicial Circuit to provide equal access to a fair and impartial system of justice by which legal disputes may be resolved in a timely, efficient manner, while fostering public trust and confidence.



2021 Year in Review:

Moving Beyond the Pandemic

January

Increased COVID numbers shift the 16th Circuit back to Remote Court through February 28

February

Jury trials canceled through the month of February due to the pandemic

February

New mobile-friendly kanecourt.org website launches for easier access to Zoom Court

March

Mock Trial competition is held virtually

Circuit Judges vote to approve Eviction Mediation Program

May

Drug Court Graduation takes place on Kane County Judicial Center Courthouse steps

June

Vaccinated persons may enter Courthouses without masks but six-foot social distancing is still required

Jury trials in individual courtrooms resume

June

Softball game between State's Attorneys, Public Defenders, and Judges

August

Masks are again required for all persons entering Courthouse facilities due to surge in pandemic rates

October

Judge René Cruz is featured speaker for national judges' webinar on scheduling and conducting remote hearings

2021 Year in Review: Highlights

March

Chief Judge Hull appointed to serve on Illinois Supreme Court Pretrial Implementation Task Force

April

Kane County Mental Health Court receives recertification

June

Judge René Cruz receives the Kane County Bar Association Community Service Award

July

Circuit Court Judge James Murphy retires & the Illinois Supreme Court appoints Bianca Camargo as Circuit Court Judge

July

Self-represented Litigant Coordinator receives a \$15,000 grant

September

In-person free family law help starts in Law Library

September

Interpreter Services and IT Divisions expand
Kickoff to the Strategic Planning Committee

October

Kane County sees big drop in warrants for missing court

October

Electronic recording is implemented in Kane County Courthouse (3rd Street Courthouse)

October

Local Prosecutors provided access to Odyssey and ECO

October

Judge Sandra Parga appointed to Illinois Supreme Court Committee on Judicial Education

November

Chief Judge Clint Hull is re-elected to a second term as Chief Judge by his fellow Circuit Judges



About the Sixteenth Judicial Circuit

Sixteenth Judicial Circuit Judges

Overview of Circuit and Associate Judges

List of Circuit and Associate Judges

Judges in the 2021 Spotlight

Spotlight

Sixteenth Judicial Circuit Judges: Overview of Circuit and Associate Judges

The Sixteenth Judicial Circuit has **14** Circuit Judges and **17** Associate Judges. In Circuit Courts, there are two types of Judges: Circuit Judges and Associate Judges. Circuit Judges are elected by popular vote for an initial six-year term and may be retained by voters for additional six-year terms. Circuit Judges can hear any circuit court case. Circuit Judges are initially elected either circuit-wide, from the county where they reside or from a sub-circuit within a circuit, depending on the type of vacancy they are filling. Circuit Judges appoint and vote to retain Associate Judges for four-year terms. Associate Judges may hear all types of cases, except felony matters, which require special authorization from the Illinois Supreme Court.

Circuit Judges elect one of their members to serve as Chief Judge. The Chief Judge serves a two-year term and is limited to no more than two consecutive terms. The Chief Judge has general administrative authority and can assign cases within the circuit. In the Sixteenth Circuit, Judge Clint Hull is serving his second term as Chief Judge. Chief Judge Hull says of his fellow Judges of the Sixteenth: "I'm proud of the work that judges do after hours



When the Judges of the Sixteenth Circuit are not on the bench, you can find them participating in a variety of heart-centered community activities. Judges are often spotted administering the oaths of office to elected officials, officiating wedding ceremonies, swearing-in their newly elected or appointed colleagues, and even participating in a friendly cross-town classic softball game against the Kane County Public Defender's Office and the State's Attorney's Office.

and on weekends/holidays, and I don't believe everyone is aware of this."

Chief Judge Hull went on to say, "Our Judges are available **24** hours a day, seven days a week, **365** days a year to review search warrants, sign arrest warrants, and to preside over weekend and holiday bond call. Judges volunteer to be on-call between 4:30 p.m. and 8:30 a.m. Monday through Friday and all day and night on weekends and holidays. At bond call, judges preside over cases in which individuals have been arrested for committing new offenses or picked up on outstanding warrants. It is the Judge's responsibility to advise each individual of their rights, to make decisions about whether probable cause exists to detain the individual, and what bail amounts and conditions, if released, should be imposed to ensure public safety and that the individual returns to Court.

Judges work side by side with other members of our judicial system (Assistant State's Attorneys, Assistant Public Defender, Circuit Clerk, Police, and Security). In 2021, Judges presided over **1,219** cases on weekends and holidays, in addition to reviewing search warrants and signing arrest warrants after hours on the weekdays.

Sixteenth Judicial Circuit Judges

CIRCUIT JUDGES

Hon. Clint Hull
Chief Judge

Hon. John A. Barsanti
Presiding Felony Division

Hon. Susan Clancy Boles
Presiding Civil Division

Hon. Kevin T. Busch

Hon. Bianca Camargo

Hon. René Cruz
Presiding
Traffic/Misdemeanor Division

Hon. John G. Dalton

Hon. Elizabeth K. Flood
Presiding Family Division

Hon. Joseph M. Grady

Hon. James R. Murphy
Retired 7/2021

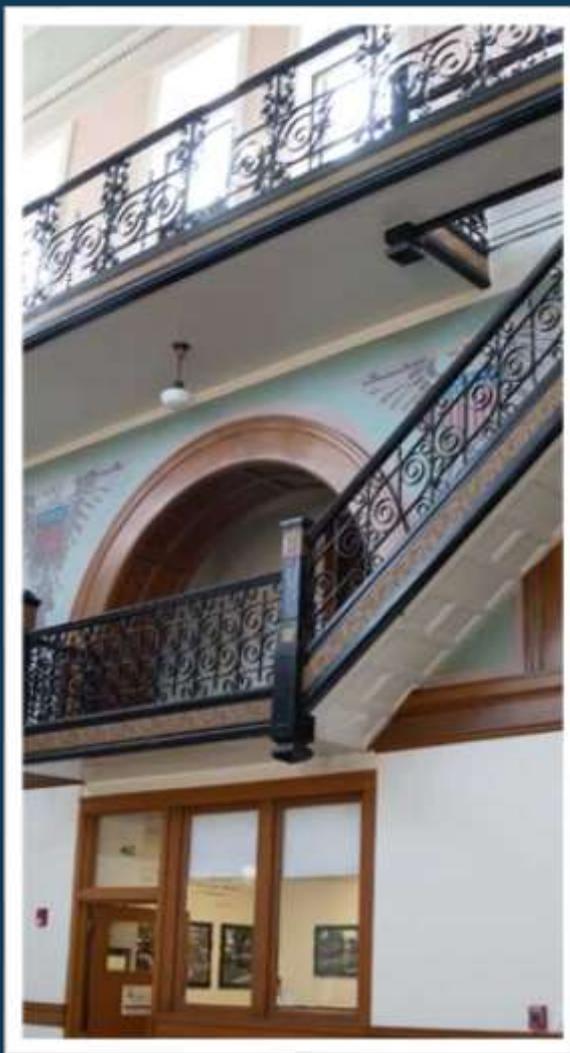
Hon. Michael J. Noland

Hon. John A. Noverini

Hon. D.J. Tegeler

Hon. Robert K. Villa

Second District Appellate Court Judge
Hon. Donald C. Hudson



ASSOCIATE JUDGES

Hon. Reginald N. Campbell

Hon. Bradley P. David

Hon. Christine A. Downs

Hon. Keith A. Johnson

Hon. Kathryn D. Karayannis
Presiding Juvenile Division

Hon. David P. Kliment

Hon. Marmarie J. Kostelny

Hon. Salvatore LoPiccolo Jr.

Hon. Sandra T. Parga

Hon. William J. Parkhurst

Hon. Charles E. Petersen

Hon. Mark A. Pheanis

Hon. Divya K. Sarang

Hon. Todd B. Tarter

Hon. Alice C. Tracy

Hon. Julio César Valdez

Hon. Julia A. Yetter

Kane County Judges in the 2021 Spotlight

When Judge Dalton was asked about the new Kane County Eviction Mediation Program which was the first of its kind in Illinois:



"The program has been extraordinarily successful, settling 71% of the cases submitted to mediation, about half resulted in a 'pay and stay' agreement and the other half were negotiated graceful exits from the property."

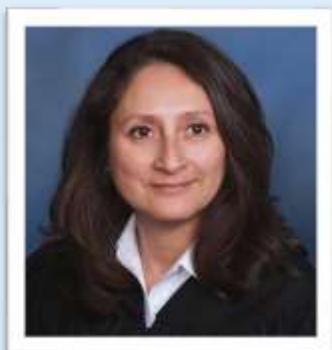
When Judge Camargo was asked about becoming the newest Circuit Court Judge:



"I want to ensure that any individual appearing in my courtroom will be treated with respect and fairness. I have always believed in the importance of making sure anyone involved in a court case understands the proceedings. As a Judge, I hope to continue to make my courtroom one where litigants have a clear understanding of the judicial process."

When Judge Parga was asked about her appointment to the Illinois Supreme Court Committee:

"I am excited for the appointment to serve on the Committee on Judicial Education. I welcome the opportunity to be a part of a committee dedicated to providing the most relevant and innovative educational courses to the judiciary and our judicial partners in Illinois."



When Judge Boles was asked what Illinois Supreme Court appointments she has received:

*Lawyers' Assistance Program (LAP)
Board of Directors 2018 – present*

*Judicial Mentor Committee
2018 - present*

*Illinois Judicial College, Standing
Committee on Judicial Education
2017 – present*

*Judicial Evaluation Program Mentor
2020 – present*



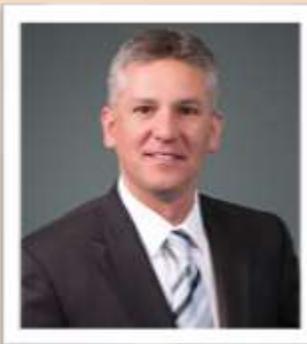
Kane County Judges in the 2021 Spotlight

When Judge Cruz was asked about receiving the Kane County Bar Association's Community Service Award:



"I'm humbled for receiving the Community Service Award for the Kane County Bar Association, especially since it comes from my peers: Judges, attorneys and other members of our surrounding legal community. No matter our station in life there are always opportunities to share our blessings with others. Thank you all, and the work continues."

When Judge Villa was asked about his roles as Cohort Leader for new judge education, EDCON 2022 Faculty, and as a presenter in the Moderated State and Federal Courts webinar series:



"I am excited to serve a role in Illinois' continuing judicial education. I have always appreciated our colleagues' efforts to provide relevant and helpful information that improves our judiciary. I hope to bring this same high level of substance and energy to my varied roles."

What Chief Judge Hull said about his appointment of Judge Flood to Presiding Judge of the Family Division:

"2021 began with an historic appointment when I named Judge Elizabeth Flood as Presiding Judge of the Family Division. She is the first woman in the Sixteenth Judicial Circuit to hold the position."



What the Community Advocacy Awareness Network members said about Judge Campbell when he spent the day with community youth:

"We took the kids to spend the day and had lunch with Judge Reginald Campbell. Giving the kids a chance to see what happens from the Judges' chambers to the bench and courtroom was such an experience. Seriously, to have a Judge prepare and set up the meal for us was such an amazing feeling."



Kane County Judges in the 2021 Spotlight

When Judge Johnson was asked about swearing in Geneva Public Library District Board of Trustees:



"Libraries are a vibrant part of our communities. It was a privilege to administer the Oath of Office to Trustees for the Geneva Public Library District."

When Judge Downs was asked about serving on the Illinois Supreme Court Committee on Professional Responsibility:



"I've served on this Committee since July 2020. We have been diligently working on a number of recommendations to the Illinois Supreme Court related to the use of technology to provide access to justice within the parameters of the Code of Professional Conduct. It has been a pleasure and honor to work with other judges and lawyers on such important issues."

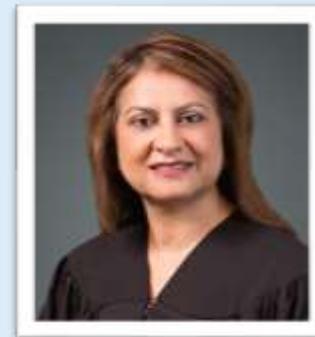
When Chief Judge Hull was asked about being re-elected for a second term as Chief Judge:

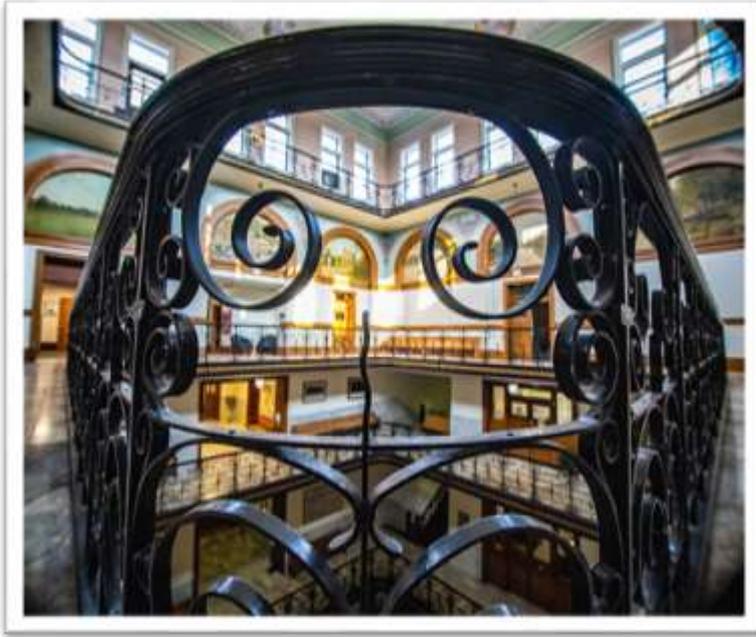
"I am gratified that my colleagues have selected me to continue to serve in this role. I look forward to continuing to work with all of them, our staff, and our partners in the judicial system as we emerge from the various shutdowns and scaled-back operations we have had to endure the past two years. We have a number of exciting projects we are working on that will continue to move the 16th Circuit forward."



When Judge Sarang was asked about serving on the *Bar Briefs* Editorial Board:

"Service to the bar is an opportunity to benefit from informal mentor-protégé networking and to give back to the community. A collaboration forged between Bar Briefs and N.I.U Law School has grown exponentially. Bar Briefs has published student written articles monthly. A rewarding experience for the students to be published and the bar to read articles from young and upcoming lawyers."





About the Sixteenth Judicial Circuit

Spotlight

Kane County Court System

Court Overview

Courthouses

**New Juvenile Justice Center
Courtroom**

The Sixteenth Judicial Circuit is a single county circuit comprised of Kane County

Article VI, the Judicial Article of the Illinois Constitution of 1970, provides for a unified, three-tiered judiciary consisting of the Supreme Court, Appellate Courts, and Circuit Courts. The Illinois Supreme Court is the highest court in the State. The Illinois Supreme Court is comprised of seven Justices, three from the First Appellate Judicial District and one from the four remaining Appellate Judicial Districts.

The Illinois Appellate Court is the second tier of the judiciary. The Appellate Court is divided into five Judicial Districts. The Sixteenth Judicial Circuit and five other circuits are grouped together to form the Second Judicial District of the Appellate Court. Currently, one circuit judge from Kane County, the **Honorable Donald C. Hudson**, serves on the Illinois Appellate Court, Second District.

Circuit Courts, also known as trial courts, are the first tier of the judiciary. The State of Illinois is divided into 23 Judicial Circuits, including our Sixteenth Judicial Circuit, which is a single county circuit comprised of Kane County. The Circuit Court is a court of general jurisdiction, which means it has original jurisdiction in all matters except those limited cases in which the Supreme Court has original jurisdiction. Trial courts hear a wide variety of civil and criminal cases ranging from small claims and evictions to family/domestic relations and criminal felonies.

State Court System in Illinois

Supreme Court
1 Supreme Court



Appellate Courts
5 Courts of Appeals



Circuit Courts
24 Judicial Circuits



Kane County Court System: Courthouses



Kane County Judicial Center

37W777 IL RT 38 St. Charles, Illinois 60175



Kane County Branch Court

530 South Randall Rd. St. Charles, Illinois 60177



Kane County Courthouse

100 South Third Street Geneva, Illinois 60134



Kane County Elgin Branch Court

150 Dexter Court Elgin, Illinois 60120



Kane County Juvenile Justice Center

37W655 Route 38 St. Charles, Illinois 60175



Kane County Aurora Branch Court

1200 East Indian Trail Road Aurora, Illinois 60505

Kane County Court System: Spotlight on New Juvenile Courtroom



New Juvenile Justice Center Courtroom is underway

by Chief Judge Clint Hull

The Sixteenth Judicial Circuit has seen a spike in the number of juvenile abuse and neglect cases being filed over the past three years. In 2018, a total of **56** cases were filed. By 2021, that number had risen to **198**, almost **tripling** the number of cases filed. The end result was a significant strain on the Sixteenth Circuit's ability to hear these important cases efficiently and effectively. Discussions took place with the following question in mind: What could be done to better serve the needs of the children and families involved in the juvenile justice system?

Our Juvenile Judges and Justice Partners quickly agreed significant benefits would be achieved if our Juvenile Delinquency and Juvenile Abuse and Neglect courtrooms and staff could be located at the Juvenile Justice Center. Presently, the Abuse and Neglect cases are heard at the 3rd Street Courthouse in Geneva, while Juvenile Delinquency cases are heard at the Juvenile Justice Center in St. Charles. Two locations caused the judges, justice partners, staff, and families to be split between the two buildings and unable to assist one another.

The original design plans of the Juvenile Justice Center called for the buildout of a second courtroom and for all juvenile cases to be heard in one building. With approval by the Kane County Board, the decision was made to build out the second courtroom. We anticipate the courtroom will be finished by the spring of 2022, and all juvenile cases will be heard at the Juvenile Justice Center no later than June of 2022.





About the Sixteenth Judicial Circuit

Spotlight

Court Divisions

Civil

Family

Felony

Felony Jury Trials

Misdemeanor & Traffic

Juvenile

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2021: 10,470 Civil cases filed

Court Divisions: Civil

"In October, we officially launched our state-supported electronic recording system."



Honorable Susan Clancy Boles
Presiding Civil Division

The Kane County Courthouse (3rd Street Courthouse) is back to full function, with in-person and remote appearances occurring daily. Jury trials resumed in March 2021, and the Division, as a whole, is not experiencing any great backlogs in cases and/or trials.

The civil judges continue to hear status calls and hearings both in-person and by Zoom. In May, the Division began an Eviction Mediation Program. Since its inception, the program has been successful in helping parties reach an agreement after the first court appearance, thereby reducing the traffic in the courtroom and the number of eviction trials.

"In October, we officially launched our state-supported electronic recording system," said Presiding Civil Division Judge Susan Clancy Boles. Six of the courtrooms, including the three law divisions, Chancery, Probate, and the Abuse and Neglect courtrooms in the courthouse, are now using the electronic recording system. This means that this system will now be the official record of what occurs in these courtrooms. The Division has also transitioned to all eFile orders and eliminated paper files and/or orders in the courtrooms.



Honorable Elizabeth Flood
Presiding Family Division

2021 began with the historic appointment of Judge Elizabeth Flood being named Presiding Judge of the Family Division by Chief Judge Hull. Judge Flood is the first woman to hold this position. Throughout the year, all of the judges in the Division continued to work diligently, as many of the issues which affected families throughout the changing landscape of the pandemic—including, but not limited to: choices between remote and in-person learning, allocation of stimulus checks, decisions regarding vaccinations, mental health and substance abuse concerns, and job losses, made their way to the Family courtrooms. Thanks to access to technology and the hard work of the judges, the Family Division barely slowed down during any stage of the pandemic and continued to provide access to justice and resolution for the many issues presented.

The Family Division continued to refine our schedules to promote maximum transparency and access to courtrooms. This resulted in changes that helped create consistency in divorce courtrooms' schedules, which in turn made it

Court Divisions: Family

"One of our larger projects accomplished in 2021 was the updating of the Kane County Local Rules pertaining to the Family Division."

easier for the attorneys and the public to determine whether they needed to attend court remotely or in person. The judges in the Division also created a partnership with the Kane County Bar Association Family Committee to have volunteer lawyers in the Kane County Law Library on Monday mornings to aid litigants who are part of the Monday morning self-represented litigant court call. It was established that status calls and routine matters were mainly heard remotely via Zoom in the mornings, while more complicated trials and hearings with exhibits were usually scheduled in person in the afternoons. This allowed all participants to understand beforehand what was expected.

During 2021, the technology acquired the year before allowed ease of transferring between remote and in-person court appearances as the COVID protocols loosened and tightened throughout the year. The implementation of new software to allow electronic filing of proposed orders for review and electronic signature by the judges aided in greater efficiency for both the judges and attorneys. Access to Spanish interpreters, both in-person and via Zoom, allowed better communication, efficiency, and understanding for cases in which one or both litigants were native Spanish speakers.

One of the larger projects accomplished in 2021 was updating the Kane County Local Rules pertaining to the Family Division. These amendments changed procedures for assigning post-judgment cases to allow greater consistency

and transparency in such assignments. Further, procedures for scheduling motions were updated to promote greater efficiency and court management, and the policy of allowing prove-ups via affidavit was codified to clarify expectations and allow for quicker and easier finality for litigants. Finally, emerging caselaw was integrated to allow for easier procedures for enforcing violations of parenting time.

To aid in the judge's decisions on parenting issues when psychological issues may affect the parties' relationships, the judges requested that the Kane County Diagnostic Center investigate parenting evaluators approved by surrounding counties. Kane County was, therefore, able to expand our list of approved evaluators to better serve the families in our courtrooms.

At the end of the year, the Kane County Circuit Clerk's Office assisted the judiciary by helping to attain access by all judges to each other's electronic queues. This will especially aid the Family Division in ensuring emergency orders and final judgments may be addressed and signed in a timely manner, even upon the assigned judge's illness or absence.

All of these changes and updates were communicated to the Kane County Bar Association through town hall zoom meetings and to the public through the Kane County Law Library's and the Sixteenth Judicial Circuit's website.

Court Divisions: Felony

"It is clear now the remote appearances are easy, accurate, and more user-friendly. It is also clear they are not going away. An unusual positive result of the pandemic."

The calendar year 2021 saw the Felony Division returning to pre-pandemic routines; almost. Jury trials returned to individual courtrooms rather than the single multi-purpose courtroom. This return allowed multiple juries every Monday morning, an important step back. The long period without and then with limited jury trials created an unprecedented backlog of cases.

In response to the backlog, Chief Judge Hull created a weekly review of cases that needed special attention due to their age. This review focused attention on resolving these cases justly and as quickly as possible. The review also fostered an "all hands on deck" approach to ensuring quick and proper resolutions. This approach has made significant reductions to the backlog. At its peak in 2021, the Courts identified **107** pretrial Defendants who had been held in the Kane County Jail for one year or more awaiting trial. At year-end, that number had been reduced to **71**, a **34%** reduction!

The Court also identified **13** pretrial Defendants who had been held in the Kane County Jail for three or more years awaiting trial. By year's

end, that number had been reduced to **6**, a **46%** reduction, and at the time the report was published was reduced to **3**.

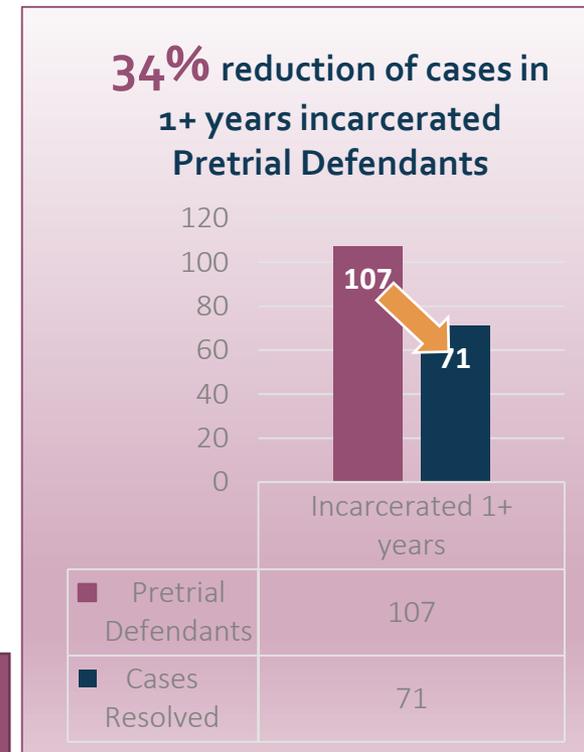
Another significant development is the maturation of the remote court appearances. Initially, Zoom allowed us to proceed with court appearances when the courthouse was partially closed. All thought, as the pandemic waned, we would eventually return to all live appearances. As the courthouse began to return to a semblance of "normal," it became obvious that Zoom had created a new normal. Defense attorneys began to appreciate not having to drive to multiple courthouses for routine appearances. Defendants could check in by Zoom for their court appearances from home or work. It is clear now the remote appearances are easy, accurate, and more user-friendly. It is also clear they are not going away—an unusual positive result of the pandemic.

Judges, not usually the most forward of thinkers, have settled into this new normal. All of them now have hybrid court calls, both live and remote. Let's see what 2022 brings.



Honorable John Barsanti
Presiding Felony Division

2021: 2,225 Felony cases filed

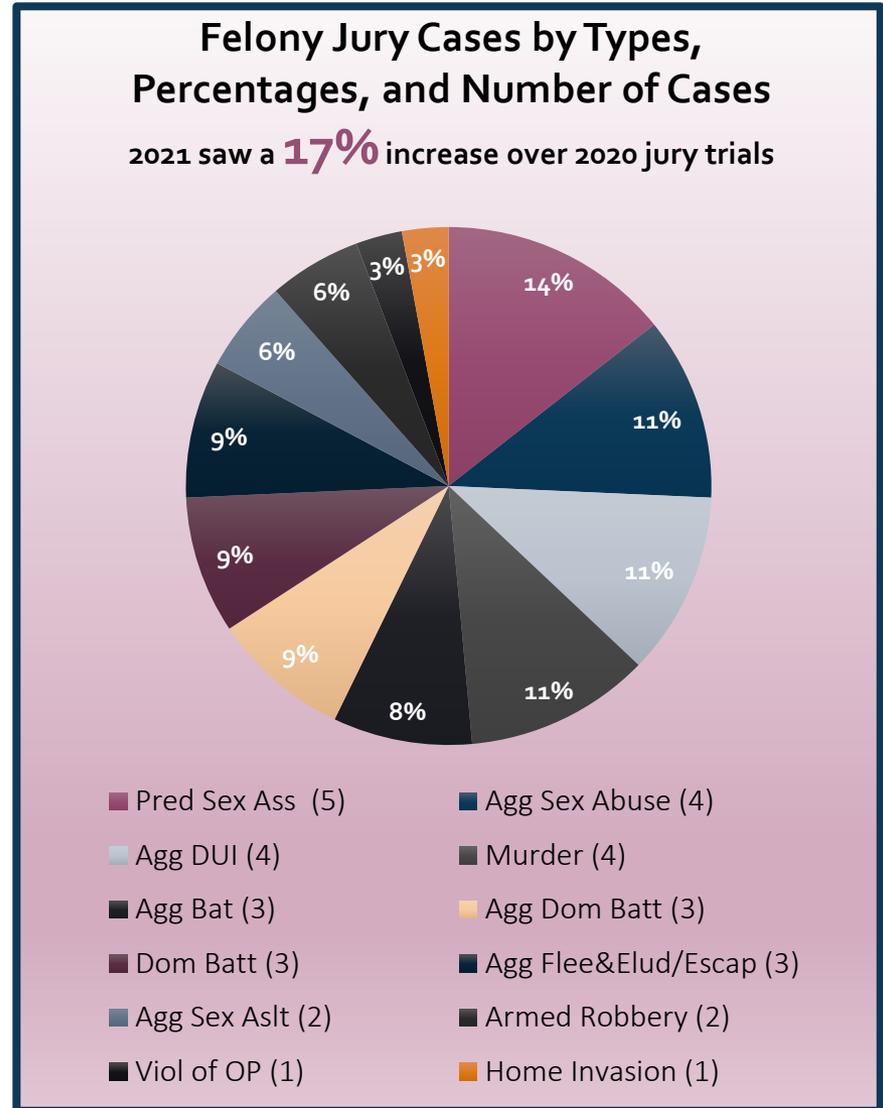


Court Divisions: Spotlight on Felony Jury Trials

“Jury trials are the bedrock of the criminal justice system”

by Judge John Barsanti

COVID-19 challenged the ability of Judicial Circuits across the country to conduct jury trials. The highly transmittable Omicron variant impacted attorneys, judges, judicial staff, and witnesses causing many trials to be continued. Mask mandates, quarantines, and social distancing were additional obstacles that made holding jury trials difficult. Despite those obstacles, Sixteenth Circuit Judges presided over **35** criminal jury trials, a **17% increase over 2020**, for offenses that included but were not limited to first degree murder, predatory criminal sexual assault, home invasion, and aggravated domestic battery. The ability of the Sixteenth Circuit to hold these trials was crucial in tackling the backlog caused by COVID in 2019. A special thanks to the Kane County State’s Attorney’s Office, Kane County Public Defender’s Office, and the citizens of Kane County who served as jurors.





Honorable René Cruz
Presiding Misdemeanor &
Traffic Division

Court Divisions: Misdemeanor & Traffic

The Misdemeanor & Traffic Division consists of five courtrooms housed among four different buildings across the county.

In 2021 the Misdemeanor & Traffic Division continued the transition back to pre-pandemic court proceedings. The most obvious transition was the ability for the DUI and Domestic Violence Courtrooms to conduct jury trials within their respective courtrooms to help alleviate some of the pandemic backlogs of jury trial cases.

The previous year of running remote court proceedings made it clear that the Judiciary needed to ensure that the participants of the Misdemeanor & Traffic court proceedings, both lawyers and defendants, continued to have the opportunity to appear either remotely or in-person for their respective court appearances.

As a result, all three Branch Courts (Aurora Branch Court, Kane Branch Court, Elgin Branch Court) established a 9 a.m. to 10:30 a.m. in-person court option as well as a 10:30 a.m. to noon remote/Zoom option. The DUI and Domestic Violence courtrooms followed suit with making most status appearances remote in the mornings with the option to appear in

person in the afternoons when necessary. The judges in the division are also sensitive to the multiple court appearances that may be required to resolve a matter and have regularly waived the Defendant’s presence at routine status dates. This should help minimize the necessity of lost work/wages for Defendants as long as they remain in communication with their attorneys and appear when requested.

Although it appears that this new “norm” has been received positively by the participants in the Sixteenth Circuit, the Misdemeanor & Traffic Division will continuously strive to improve court processes whenever possible.



2021:

- 2,380 Misdemeanor cases filed**
- 1,324 Driving Under the Influence of Alcohol cases filed**
- 1,325 Ordinance Violation cases filed**
- 36,273 Traffic Offense cases filed**

Court Divisions: Juvenile

"Much has been accomplished and even enhanced through use of remote and virtual platforms. Virtual proceedings are safe and efficient without compromising the ability of the court to proceed as necessary."



**Honorable
Kathryn
Karayannis**
Presiding
Juvenile Division

The Juvenile Division hears juvenile abuse, neglect and dependency cases (A/N), juvenile delinquency (JD) cases, agency and private adoption cases (AD), and a limited number of guardianship (P) matters. There are currently two judges assigned to hear Juvenile Division cases.

In 2021, Abuse and Neglect case filings are projected to remain at a rate similar to 2020.

Abuse and Neglect

The goal of juvenile A/N cases is to ensure children are safe in their homes and to preserve the child's family ties whenever possible. Because of the critical nature of these cases, statutory timeframes for addressing A/N cases were not stayed during the pandemic. While this is understandable due to the need to protect children and commence services aimed at family reunification, it is not without its challenges both due to the continuing effect of the pandemic and number of case filings.

To address these challenges, coordinated efforts between attorneys, CASA, child welfare agencies, the Circuit Clerk's Office, parents, foster parents, and the Judiciary have been permitting these cases to be addressed during this unprecedented time. Much has been accomplished and enhanced through the use of remote access and virtual platforms. Virtual proceedings are safe and efficient without compromising the ability of the court to proceed as necessary.

Juvenile Delinquency

Juvenile Delinquency Court is responsible for balancing the need to protect citizens from juvenile crime, addressing the needs of minors who come before the court in order to rehabilitate them, and preventing future delinquent behavior.

The Juvenile Delinquency Court works closely with Juvenile Court Services and other providers in the community to assess and address the needs of minors, and in many cases, their families as well.

The goal of the Juvenile Delinquency Court is to ensure that each minor receives due process, understands his or her rights, and is heard regarding the circumstances that have brought them before the court.

Abuse and Neglect filings have gone from **59** in 2017 to **198** in 2021. That is a **236%** increase.



About the Sixteenth Judicial Circuit

Spotlight

Problem-solving Courts

Drug Rehabilitation Court
(DRC)

Treatment Alternative Court
(TAC)

Veterans Treatment Court
(VTC)

Problem-solving Courts: Drug Rehabilitation Court



Honorable Marmarie Kostelny

What is a Problem-Solving Court (PSC)?

According to the Supreme Court of Illinois, Administrative Office of the Illinois Courts, “Problem-Solving Court (PSC) is a specially designated court, court calendar or docket facilitating intensive therapeutic treatment to monitor and assist participants in making positive lifestyle changes and reducing the rate of recidivism. PSC is non-adversarial in nature. Common features of a PSC include, but are not limited to, a designated judge and staff; specialized intake and screening procedures; intense and coordinated treatment procedures administered by a trained multidisciplinary professional team; close evaluation of court participants, including continued assessments and modification of the court requirements and/or use of sanctions, incentives and therapeutic adjustments to address behavior; frequent judicial interaction with participants; less formal court process and procedures; voluntary participation; a low treatment staff-to-client ratio; and additional goals of cost savings and an increase in public safety.”

Drug Rehabilitation Court (DRC)

The Kane County Drug Rehabilitation Court (Drug Court) program seeks to help high-risk individuals who have a substance use disorder obtain necessary treatment and rebuild their lives. The drug court team consists of justice and treatment professionals working in a non-adversarial manner to reduce the incidence of drug use and reduce recidivism. Drug Court is a voluntary program for Kane County residents assessed to meet the target group the program is best able to serve. Only defendants charged with felony offenses may participate in the program. Participants are required to complete all recommended treatment while being closely supervised by the court and in the community.

Participants must regularly appear in court to monitor progress and are frequently drug tested.

Despite the continuing Covid-19 pandemic, the Kane County DRC was able to return to more normal operations in 2021. During the first quarter, all three drug court sessions were conducted remotely on Zoom each week. By April, two morning sessions resumed in person court hearings and by June, Wednesday night court returned to in-person as well. Drug testing and probation supervision remained consistent and in accordance with National and State Standards through the hard work of the probation officers on the team.

Continued on next page



Problem-solving Courts: Drug Rehabilitation Court

Drug Rehabilitation Court *Continued from previous page*

As 2021 progressed, community-based treatment providers began to offer more in-person group and individual treatment sessions. Many self-help support meetings also began to meet by the summer, although many Zoom AA/NA meeting options remain available. The technological advances and capabilities through online meetings and telehealth have augmented the treatment participants receive. Even when participants' attendance in the courtroom was allowed, Zoom court has been utilized during periods of quarantine or illness for a participant. This has allowed the DRC team to continue their support and monitoring of individuals even during times when they may not be able to be physically present together.

The Kane County DRC's customary social activities continue to be limited by the virus as it remained unwise for large groups to gather indoors for most of the year. However, outdoor events, including alumni meetings, the May graduation ceremony on the steps to the Judicial Center, and even goat yoga were scheduled when possible.

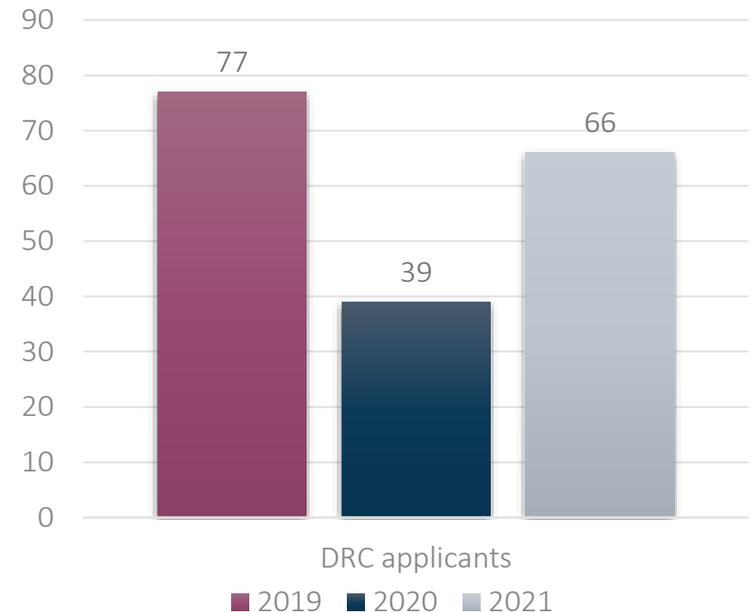
The Kane County DRC is in the middle of a **\$500,000** three-year federal grant to enhance operations. This grant is designed to assist participants to obtain treatment, medications, housing and to enhance drug testing capacities. The Kane County Specialty Court Foundation has continued to assist many participants who were unemployed or quarantined during the pandemic. The DRC Alumni continued to host Zoom self-help meetings. Many former graduates of the program offered to serve as temporary sponsors to current participants.

As more cases moved forward in the felony division during the year, the number of applicants to DRC also increased. In 2020, DRC received only **39** applications for the program. In 2021, **66** applications were received.

Eighteen (18) individuals successfully completed the rigorous requirements of the program and had graduation ceremonies in 2021. Since 2000, **897** participants have successfully graduated from the Kane County Drug Rehabilitation Court program.

Drug Rehabilitation Court (DRC) Applicants

As more cases moved forward in the Felony Division during the year, the number of applicants to DRC also increased. In 2020, DRC received only 39 applications for the program due to the pandemic's impact on courthouse operations. In 2021, **66** applications were received which is near to pre-pandemic 2019 numbers.*



*Since 2000, 897 participants have successfully graduated from the Kane County Drug Rehabilitation Court Program.

Problem-solving Courts: Treatment Alternative Court

Treatment Alternative Court (TAC)

Treatment Alternative Court is a program for offenders with a serious mental health disorder, co-occurring disorders or developmental disabilities. The program mandates participants receive mental health treatment, substance use disorder treatment when necessary and requires regular supervision by the Court. The TAC team identifies treatment needs for each participant and provides services in order to reduce their contact with the criminal justice system and to promote public safety. TAC is a voluntary program for Kane County residents charged with either felony or misdemeanor offenses. In addition to mental health treatment, participants receive various forms of evidence-based therapy, housing assistance, and benefits assistance while under intensive judicial monitoring.

2020 began with TAC operating remotely using Zoom but returned to regular court appearances in June. Drug testing continued with safety precautions in place relying on many home visits by probation officers and the assistance of our treatment providers. Treatment was provided to participants with a combination of remote and in person groups and individual appointments. As a consequence of a the pandemic, the number of applicants to TAC in 2020 was reduced to only 21 applications filed. In 2021, 40 applications were filed which is nearing pre-pandemic levels.

TAC had three successful graduations during the year with two graduations celebrated remotely on zoom and live streamed on YouTube. The Treatment Alternative Court Alumni group was able to meet on zoom during the year as well.

A parent's letter of thanks to the TAC team:

"TAC has made a huge impact in his life"

TAC team,

Thank you all so much for your hard work, time, dedication and patience with those suffering from substance use disorder and mental illness. The program is greatly needed in the community and I am beyond grateful that [REDACTED] was able to participate in TAC.

It was definitely a rocky road throughout the first year but [REDACTED] was able to grow and become more stable and productive with the help and guidance from all of you. The last year I saw firsthand the positive changes. He woke up for AID on his own and kept his schedule by himself. He took classes at [REDACTED] and got A's. (This was [REDACTED] 4 time signing up for classes, he had to withdraw because of hospitalizations prior) Our relationship improved drastically and was peaceful. (Prior I lived in terror) We went on a vacation together which was the first since his psychotic break in [REDACTED]. Spending family time together has been joyous for all! He has been doing great at [REDACTED] and liking his job there. He has grown so much and I am so proud of him. I am hopeful that he will continue to stay on task and continue to move forward. He still is symptomatic at times and has struggles but overall the improvement he has had is drastic.

TAC has made a huge impact in his life and our families. Samantha and Emily have been so supportive, kind and helpful. I hope you all know how needed you are helping those who suffer from these terrible diseases. I wish everyone who suffered from SUD and SMI and ended up in the justice system had the opportunity to participate and rehabilitate in TAC. Who would of thought that TAC would have the greatest impact on [REDACTED] recovery?

Prior to [REDACTED] psychotic break in October of 2017 I had very limited knowledge of serious mental illnesses. I dove into an unknown world and tried my best to learn as much as I could to help him. Between Nami, attorneys, therapists, doctors, priests, support groups, books, anything I could do to try to help [REDACTED] I did. Wow, has that been heartbreaking, disappointing and defeating at times. The average person does not understand that there is no exact solution, cure or path to take to help those suffering from SUD or SMI. It is a journey that is exhausting and trying but I always will be hopeful for [REDACTED] recovery. Your support has had the greatest impact on mine and [REDACTED] life and I will forever be thankful.

"Our relationship improved drastically and was peaceful."

Kane County Treatment Alternative Court is recertified by State Supreme Court



The Illinois Supreme Court re-certified the Kane County Treatment Alternative Court for the next three years.

For re-certification, members of the Special Supreme Court Advisory Committee for Justice and Mental Health Planning, along with the Administrative Office of Illinois Courts, completed a review of the Mental Health Court's policies, procedures, handbook, and other supporting materials.

Experts interviewed team members, observed the team during staffing, and observed a court session. They determined that the Kane County program complied with the Illinois Supreme Court Problem-Solving Court Standards.

Veterans Treatment Court (VTC)

Veterans Treatment Court is a specialty court program designed for our veterans who have provided an invaluable service to our nation. In so doing, some have suffered the effects of post-traumatic stress disorder, traumatic brain injury, mental health conditions, or substance use disorders that then led to contact with the criminal justice system. This voluntary program is for Kane County veterans charged with felony or misdemeanor offenses. VTC is a highly structured intervention process for the treatment of eligible participants that brings together substance use professionals, mental health professionals, VA professionals, local service providers and requires intensive judicial monitoring. In 2021, one (1) participant in the program graduated with a remote ceremony on Zoom attended by many local veterans.

At the start of 2021, Court was conducted remotely on Zoom due to the pandemic. Court began to meet in person in June 2021, and the program was able to operate as originally designed throughout the balance of the year. The Kane County Veterans Assistance Commission and the Kane County Specialty Court Foundation ensured that active participants had any special needs addressed and met throughout the year. The pandemic has limited promotion of this new program in the community. During the year, four (4) applications for the VTC were screened for eligibility, but none of the applicants met the necessary risk level for the program. As a result, the VTC team is working to create a lower risk track so that more veterans in the criminal justice system are eligible to participate. At the end of the year, VTC had three (3) active participants.



About the Sixteenth Judicial Circuit

Spotlight

Court Administration

Arbitration Center

Bailiffs

Children's Waiting Room

Jury Commission

Orders of Protection

Mediation Programs

Interpreting Services &
Language Access

Court Reporting Services

Law Library

Court Administration: Arbitration Center

Douglas Naughton Court Administrator
Andrea O'Brien Deputy Court Administrator

Subject to the direction of the Chief Judge, the Court Administrators of the Sixteenth Judicial Circuit are responsible for the overall management of the court's non-judicial operations and providing support for the judges of the circuit.

The duties fall into two broad categories. The first category is managerial functions. These duties include personnel management, fiscal/budget coordination, public relations, space and equipment/technology management, and long-range planning. The second category deals with areas bearing specifically upon the courts and the public sector. These duties include case flow management, jury management, inter-governmental/inter-

departmental relations, interpreting services, and monitoring legislation. The office also provides supervision of the Law Library, the Mandatory Arbitration Center, and various mediation programs provided by the court.

The Office of the Court Administrator is dedicated to ensuring equal and timely access to the court and its related services. Supervision also is provided for judicial internship programs, website management, and coordinated outside activities such as regional and national level mock trial competitions in court facilities.

Arbitration Center

Mary Barnette

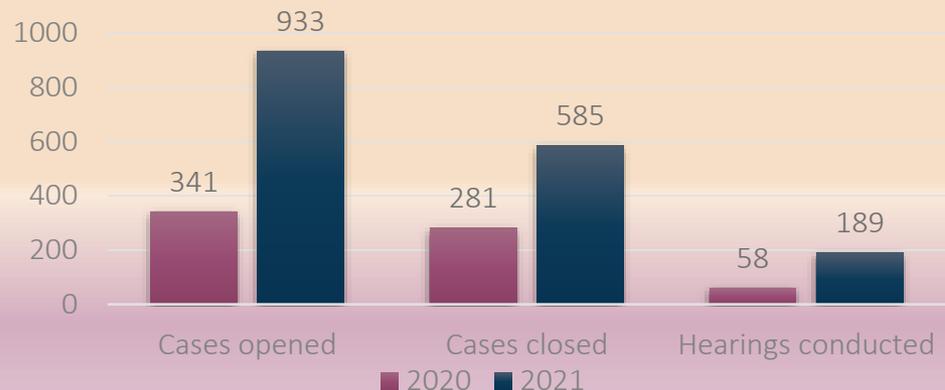
Arbitration Center Administrator

All civil actions exclusively for money damages that are filed in an amount not greater than \$75,000.00 are automatically assigned to non-binding mandatory arbitration. The day-to-day management of the program is the responsibility of the Arbitration Center Administrator.

In 2021, **933** new Arbitration cases were opened, **585** Arbitration cases were closed and the Arbitration Center conducted **189** hearings.

Arbitration Cases

2021 saw Arbitration cases rise to pre-pandemic levels. During most of 2020, the Arbitration Center was closed and the Court did not have the capability to conduct remote arbitration.



Court Administration: Bailiffs & Children's Waiting Room

Bailiffs

Nancy Hudson Chief Bailiff | Kane County Judicial Center

Lan Nielsen Chief Bailiff | Kane County Courthouse



The Bailiffs of the Sixteenth Judicial Circuit have the greatest direct personal contact with attorneys, litigants, juries, and the public. Bailiffs serve a vital role as the face of the judiciary. They help promote and encourage the public's confidence and respect for the judicial system through their presence and behavior in the courtroom.

In 2021, the Sixteenth Judicial Circuit employed 20 full-time Bailiffs, one part-time Bailiff, and several seasonal Bailiffs. Their primary responsibilities are to maintain order and decorum within the courtroom, and to ensure that all orders from the bench are carried out. Additionally, they assist jurors in their duties to the court, they provide the first line of security and information to jurors and they keep jurors free from contact with anyone not authorized to be in their presence. Bailiffs also provide public information and non-legal directions to parties, attorneys, and litigants to assure timely court participation.

Children's Waiting Room

Ann Lobb Director | Children's Waiting Room



The Children's Waiting Room provides free drop-off short-term, supervised care for as many as **20** children ranging in ages from infant to age 12. The hours of operation are 8:15 a.m. to 4:15 p.m. Monday through Thursday and 8:15 a.m. to 1:00 p.m. on Fridays. There are extended hours on Wednesdays for Night and Drug Courts. During 2021, the Children's Waiting Room served **1,143** children while their parents or guardians appeared in court.



Court Administration: Jury Commission, Orders of Protection & Mediation Programs

Jury Commission

Mari Moore and Stacey Payne
Jury Commission Clerks



The Office of the Jury Commission is responsible for the preparation of the general jury list, summoning, selection, drawing, examination, and verification of persons for jury service. Illinois law requires that the names of prospective jurors be randomly drawn from a combined list of registered voters, Illinois driver's license holders 18 years of age and older, Illinois Disabled Person Identification Card holders, Illinois Identification Card holders, and claimants for unemployment insurance.

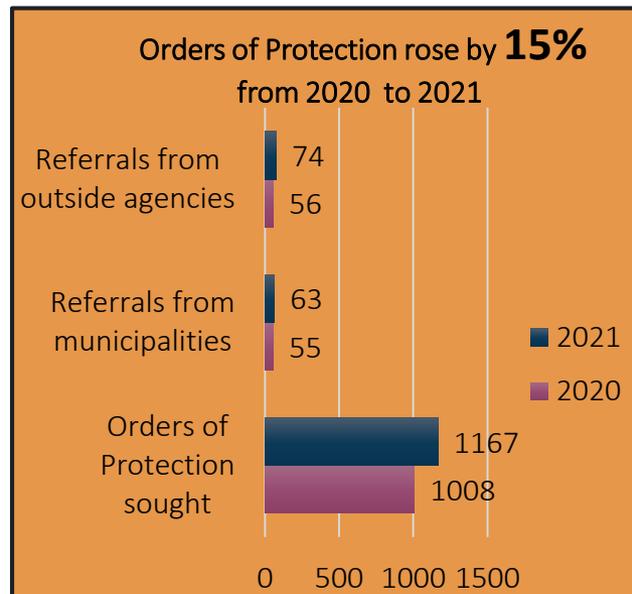
In 2021, a total of **10,490** jurors were summoned for jury duty. Despite the pandemic, there were **8** civil jury trials conducted at the Kane County Courthouse and **35** jury trials conducted at the Kane County Judicial Center.

Orders of Protection

Staff Attorneys and Paralegals

The Sixteenth Judicial Circuit Court assists self-represented litigants with emergency orders Monday through Friday from 8:30 a.m. to 4:30 p.m. at the Kane County Judicial Center. Judicial Staff Attorneys and Paralegals provide assistance with filling out Petitions for Emergency Orders of Protection, Civil No Contact Orders, and Stalking No Contact Orders.

In total, the Court assisted **1,167** Petitioners seeking Orders of Protection. Individuals who sought Orders of Protection came from **63** different municipalities. Seventy-four (**74**) different agencies, including police departments and victim advocacy agencies, referred Petitioners to the Court during 2021.



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Mediation Programs

Kevin Malone Program Director

The Sixteenth Judicial Circuit Mediation Programs provide a confidential process in which a neutral mediator assists parties in reaching a mutually acceptable agreement. Mediation is intended to be a more informal and non-adversarial process where the mediator assists the parties in identifying issues, fostering joint problem-solving, exploring settlement alternatives, and reaching an agreement. The Sixteenth Judicial Circuit has five Mediation Programs: Civil, Family, Residential Foreclosure, Eviction, and Child Protection.



Interpreting Services & Language Access

Victor Tellez Interpreter Coordinator | **Maricela Cortez** Assistant Interpreter Coordinator

The Sixteenth Judicial Circuit is committed to ensuring access to the judicial system for people with Limited English Proficiency (LEP) and hearing-impaired individuals. To that end, the Sixteenth Judicial Circuit created the position of Interpreting Coordinator and has hired an assistant coordinator. The role of the Interpreting Coordinator is to staff each courtroom with the highest quality interpreters while maximizing the interpreting reimbursements provided by the Administrative Office of the Illinois Courts (AOIC).

In addition, as the Sixteenth Judicial Circuit has adapted to conducting court remotely during the pandemic, it has partnered

with the AOIC to continue to provide certified interpreters via Zoom to assist LEP parties. The Sixteenth Judicial Circuit's focus has been on continuing to ensure that LEP litigants are able to participate in court proceedings using either consecutive or simultaneous interpretation in conjunction with the Zoom application.

Interpreting Services & Language Access has:

- 4 Supreme Court Certified Interpreters at the Kane County Judicial Center
- 1 Supreme Court Certified Interpreter at the Kane County Courthouse
- 1 Supreme Court Certified Interpreter at the Aurora Branch Court
- 1 Supreme Court Registered Interpreter at the Kane Branch Court
- 1 non-registered Interpreter at the Elgin Branch Court
- 5 Supreme Court Certified Interpreters on a call list

A rotation system has been implemented for long proceedings to ensure accuracy.





Spotlight on Interpreting Services & Language Access

by Judge Sandra Parga

*"The Sixteenth Circuit finds itself in the unique position of being the only circuit in Illinois using registered or certified interpreters **100%** of the time."*

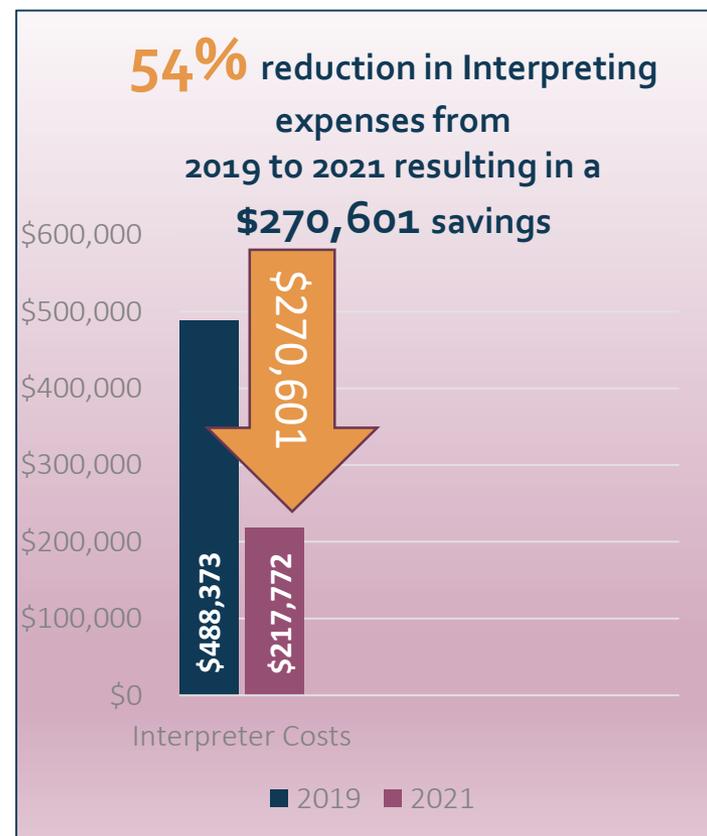
At the beginning of 2021, the Sixteenth Judicial Circuit endeavored to restructure its Language Access Program by transforming its interpretation system. The goal was to provide Kane County litigants who have limited English proficiency with better services in their native languages so that they would have more meaningful participation and access to the justice system. A secondary but equally important goal was to reduce the expense of the interpretation services to the citizens of Kane County. The Sixteenth Circuit is thrilled to report that we have met both goals.

The transformation began with the hiring of Victor Tellez as our first full-time Interpreter Coordinator and Maricela Cortez, a full-time Assistant Interpreter Coordinator. Mr. Tellez, a certified interpreter himself, was committed to ensuring that all of the interpreters working in Kane County were at minimum registered, if not certified. The requirement that the interpreters be either registered or certified allowed the county to receive

reimbursement from the Administrative Office of Illinois Courts for the services rendered. In the end, the Sixteenth Circuit finds itself in the unique position of being the only circuit in Illinois using registered or certified interpreters **100%** of the time.

In addition to hiring Mr. Tellez, the Sixteenth Judicial Circuit also made use of the electronic equipment purchased during the pandemic to implement the remote interpretation services. In partnership with Interpret, the Sixteenth Judicial Circuit has eliminated the need for in-person interpreters in many of our courtrooms and has saved money on travel costs for interpreters. The end result was a reduction of interpreter expenses from **\$488,373** in fiscal year 2019 to **\$217,772** in fiscal year 2021, a **54% savings**.

The Sixteenth Judicial Circuit is proud to be at the forefront of providing quality language access to its citizens at a cost-saving price to its taxpayers.



Court Administration: Court Reporting Services

Court Reporting Services

Jill Gasparaitis Court Reporter Supervisor

In April 2021, the Kane County Official Court Reporters returned to the Kane County Judicial Center and Kane County Courthouse full time. During the pandemic shutdown, many court calls were heard on the Zoom platform. The Official Court Reporters covered the Zoom platform from home or in their county offices, covering the courtrooms for in-person hearings when specially set. Only one of the larger courtrooms conducted jury trials. Many accommodations were made to allow for the six-foot social distancing rule for the jury trials; for example, the jurors sat in the viewing gallery spaced apart instead of the jury box. Two Official Court Reporters were

assigned each day of the jury trials due to the longer hours put in to complete the jury trials efficiently.

In July, the six-foot social distancing rule was suspended, so all courtrooms resumed their normal jury calendars. Also, the felony Zoom calls were reduced to two mornings a week, which meant an increase for in-person hearings to return.

During the pandemic shutdown, the Administrative Office of the Illinois Courts installed a digital audio and video recording system in the law, chancery, and probate courtrooms at the Kane County Courthouse. Court Reporting Services in Kane County were appointed

to oversee the monitoring of the system and transcript production. Months of research and a coordinated team effort from many Kane County departments resulted in the October 18, 2021 start date for this digital record. The 17 Official Court Reporters who are licensed and certified shorthand reporters will have the audio and video recording available to produce a transcript when requested.



In the Sixteenth Judicial Circuit, Court Reporting Services employees capture the verbatim record of the courtroom proceedings presented in the Felony, Misdemeanor, Juvenile, Specialty Court, and Mental Health courtrooms as well as oversee the monitoring and transcript production of the digital recording system in the Law, Chancery, and Probate courtrooms.



Kane County Law Library & Self Help Legal Center

Halle Cox Director

The mission of the Kane County Law Library & Self Help Legal Center (KCLL) is to ensure everyone has equal and open access to the legal system. By assisting court patrons in their efforts to use the legal system effectively and efficiently, the Law Library staff strives to create informed legal consumers and empower court-goers.

Through hosting ongoing programs such as a Divorce & Family Law Help call-in service and Lawyer in the Library at the Gail Borden Public Library, the KCLL brings volunteering attorneys together with those in the community who could most benefit from free legal guidance. In 2021, the KCLL added a Divorce & Family Law Help walk-in service to further support the legal needs of the public. Volunteering attorneys assisted 239 members of the public through these three programs alone in 2021.

Access to Justice

The KCLL continues to be active in and benefit from the push through the Illinois Supreme Court for stronger public access to justice. In 2021, the KCLL applied for, and was granted, **\$15,000** from the Illinois Supreme Court and Administrative Office of the Illinois Courts to further efforts supporting self-represented litigants involved with Kane County courts. Due to this funding, a full-text online database, Legal Information Reference Center, was able to be purchased and is now freely available to KCLL users.

Also in 2021, Halle Cox, Director of the KCLL, was again named Self-Represented Litigant Coordinator for the Sixteenth Judicial Circuit (Kane County), and was invited to co-teach an Illinois Judicial Education Conference program on how the courts may best support self-represented litigants. Additionally, Ms. Cox was asked to participate in a statewide committee to review possibilities for the next iteration of Illinois Standardized Statewide Forms.

Illinois JusticeCorps

In 2021, the Illinois Bar Foundation granted the Sixteenth Judicial Circuit its fourth Illinois JusticeCorps Fellow, Tiffany Montiel. Ms. Montiel's role is to help ensure positive court experiences for self-represented litigants. To this end, she works out of the KCLL and is overseen by the Director. Ms. Montiel assists people with e-filing, Zoom court, and locating legal forms and resources. She also actively assists with the new Kane County Eviction Mediation Program.

Employee Recognition

The Office of the Chief Judge in February 2021 recognized KCLL Law Librarian Ellen Schmid for her outstanding service to the Sixteenth Judicial Circuit and awarded her with a plaque.

Expungement Clinics

The Kane County State Attorney's Office in partnership with the Kane County Sheriff's

Office, Kane County Circuit Clerk's Office, the Kane County Public Defender's Office, the Kane County Law Library & Self Help Legal Center, and local public libraries hosted the first series of Kane County Expungement Clinics. The KCLL aided the program by garnering volunteer attorneys and creating an online volunteer sign-up portal.

National Night Out

The KCLL had the pleasure of participating in the 2021 National Night Out hosted by the Kane County Sheriff's Office. The Director and Illinois JusticeCorps Fellow manned a table, handing out donated gently used children's books and speaking with parents about the Law Library's various resources.

Drug Court Book Club

In 2021, the KCLL was once again able to host in-person drug court book club meetings, which had been temporarily suspended due to the pandemic.



Looking ahead to 2022

The Sixteenth Circuit Strategic Plan will be completed and steps towards its implementation will begin

Buildout of the lower level multi-purpose room at the Judicial Center into a new courtroom designated to hear Order of Protection cases

Comprehensive review of the Order of Protection system with a goal of having the option of allowing Petitioners to appear via Zoom when seeking an Emergency Order of Protection

Continued cooperation with Kane County Board and Justice Managers in looking ahead and seeking ways to improve the Sixteenth Judicial Circuit while being good stewards of taxpayer dollars

Enhance the technological capabilities of our courtrooms through the installation of new equipment and new systems as allowed through funding by the American Rescue Plan Act

Opening of the new courtroom at the Juvenile Justice Center allowing juvenile abuse and neglect and delinquency cases to be heard in the same building

Start of the Electronic Search Warrant program which will allow judges to sign search warrants electronically making the review process more efficient

Prepare for the implementation of the new Illinois Safety, Accountability, Fairness, and Equity-Today (SAFE-T Act) which will go into effect January 1, 2023