

IN THE CIRCUIT COURT
FOR THE FIFTH JUDICIAL CIRCUIT OF ILLINOIS

ADMINISTRATIVE ORDER NO. 2021-12

WHEREAS, on May 3, 2021, **Vermilion County Administrative Order 2021-2** was entered effective instanter governing the creation and operation of a second felony courtroom calendar in Vermilion County, Illinois;

IT IS THEREFORE ORDERED that Vermilion County Administrative Order 2021-2 is hereby adopted and approved, retroactive to the effective date of said order.

DATED this 18TH day of May, 2021.



Thomas M. O'Shaughnessy, Chief Judge

**IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT
VERMILION COUNTY, ILLINOIS**

**ADMINISTRATIVE ORDER 2021-2
GOVERNING THE CREATION AND OPERATION OF A SECOND
FELONY COURTROOM CALENDAR**

The Circuit Court for Vermilion County Illinois, acting through its presiding circuit judge, adopts the following Administrative Order:

WHEREAS, the Circuit Court of the Fifth Judicial Circuit for Vermilion County, Illinois, has historically utilized only one courtroom calendar to address felony criminal offenses charged under statutes of the State of Illinois; and

WHEREAS, the 2019 Novel Coronavirus [COVID-19] pandemic caused substantial delays in the prosecution of felony criminal cases during 2020 and 2021 due to restrictions recommended and accepted for such proceedings in Vermilion County; and

WHEREAS, there exists a need to expand the ability of the Circuit Court for Vermilion County to address the volume of felony criminal offenses charged under the statutes of the State and pending before the Court; and

WHEREAS, after considering the volume of felony criminal offenses charged under the statutes of the State and pending before the Circuit Court, the interests of the Vermilion County judiciary, and the users of the courtrooms of the Rita B. Garman Vermilion County Courthouse, the presiding circuit judge for Vermilion County considers it to be in the best interests of the said Court to approve the following Administrative Order:

1. Creation of Two Felony Courtroom Calendar. Effective May 1, 2021, two felony courtroom calendars will operate in the Circuit Court for Vermilion County. The presiding judge will, from time to time, designate the courtrooms to be utilized for the two calendars as well as the judges who will be assigned to preside over the two felony courtroom calendars.

2. Assignment of Felony Cases. The Circuit Court Clerk for Vermilion County shall randomly assign felony criminal cases that have been filed with the Clerk in accordance with the following guidelines:

a. All felony criminal charges involving a single defendant that arise out of a single incident shall be consolidated into a single court case.

b. Felony criminal cases filed against a single defendant shall be randomly assigned to a courtroom by the Circuit Clerk and, unless otherwise ordered, shall remain so assigned throughout the pendency of the cases, including any term of supervision, conditional discharge, or probation.

c. Felony criminal cases filed against a single defendant, regardless of case status and unless otherwise ordered, shall be assigned to the same courtroom.

d. Any defendant who has a pending felony criminal case or who is currently on supervision, conditional discharge, or probation shall have any new felony criminal case assigned to the courtroom where the lowest (or oldest) case number is already assigned.

e. It shall be the responsibility of the parties to periodically review and identify companion cases and cause them to be transferred to the appropriate courtroom consistent with the provisions of this Administrative Order.


f. Felony criminal cases involving co-defendants shall be randomly assigned to the same courtroom, with the courtroom assignment of the lowest (or oldest) case number of the co-defendants controlling the assignment of all of the cases. The rules for co-defendants defined herein take precedence over the rules for single defendants.

3. **Transfer of Felony Cases.** The required transfer of a case from one courtroom to another may occur at any time after the parties or judiciary become aware of a need to do so. The transfer may occur as early as the initial bond appearance, but must be made before a substantive ruling has been made in the case. Any failure to transfer cases in accordance with these rules shall not be grounds for dismissal of charges. Upon agreement of the parties, and approval of the Court, a case may be transferred into another courtroom as part of a plea agreement.

4. **Substitution of Judge.** In accordance with 725 ILCS 5/114-5, the 10-day period articulated in paragraphs (a) and (c) of that statute shall commence upon the defendant first appearing in Courtroom 107 and the defendant's felony criminal case being assigned to a courtroom.


5. **Effective Date:** This Administrative Order is effective *instanter*.

Dated this 3rd day of May, 2021



Thomas M. O'Shaughnessy, Presiding Circuit Judge

Approved this 3rd day of May, 2021



Thomas M. O'Shaughnessy, Chief Circuit Judge