ILLINOIS STATE BAR ASSOCIATION

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Bench & Bar

The newsletter of the Illinois State Bar Association's Bench & Bar Section

Understanding the requirements for adult guardianships

BY HON. ANNA M. BENJAMIN

Effective January 1, 2019, the Illinois Legislature amended the Probate Act, 755 ILCS 5/11a-17(g)(2), to give spouses, adult grandchildren, parents and adult siblings the right to petition for visitation with adults over whom guardianship has been established. Previously, the statute provided this right for adult children only. The court must consider any such petition in accordance with "what the ward, if competent, would have done or intended under the circumstances," if that can be determined. If that cannot be determined, the court must act in the ward's best interests; however, "[t]he court

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Evidentiary admissions and judicial admissions: A quick refresher

BY MICHAEL J. MASLANKA

The case of *Armstead v. National Freight, Inc.,* 2019 IL App (3d) 170777, decided by the third district appellate court on February 5, 2019, gives a good explanation of the differences between evidentiary admissions and judicial admissions. All practitioners who find themselves in court or in administrative tribunals, for any reasons whatsoever, should know the differences.

"Judicial admissions are formal admissions in the pleadings that have the effect of withdrawing a fact from issue and dispensing wholly with the need for proof of the fact." The court further explained that a judicial admission must be clear, unequivocal, and uniquely within the admitting party's personal knowledge. A statement, to be a judicial admission, must also be an intentional statement by the person making the statement, that relates to concrete facts and not just an inference or uncertain summary. Further, the court explained that: "Judicial admissions 'do not include admissions made during the course of other court proceedings.'"

"Evidentiary admissions may be made in, among other things, pleadings in a case other than the one being tried." Evidentiary admissions **do not** have the strength of judicial admissions, as

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shall not allow visitation if the court finds that the ward has capacity to evaluate and communicate decisions regarding visitation and expresses a desire not to have visitation with the petitioner."

Similarly, the Illinois Legislature passed the Frail Elderly Individual Family Visitation Protection Act, 750 ILCS 95/1, *et seq.*, effective January 1, 2019. This Act allows a spouse, adult child, adult grandchild or other close relative to petition for visitation with a "frail elderly individual," as that term is defined in the Act, if a family caregiver unreasonably prevents such visitation. This Act specifically does not apply to adults under a guardianship or if the family caregiver is acting under a power of attorney.

These statutory changes are good reminders of the need to look carefully at the Probate Act and its requirements for establishing guardianships for adults with disabilities. It is a good time to be reminded of the appropriate balance that must be struck between being protective and yet maximizing each individual's ability to make independent decisions.

Section 11a-3 of the Illinois Probate Act of 1975, 755 ILCS 5/11a-3, (hereinafter, the "Act") grants the court the authority to appoint guardians for adults with disabilities. That section provides in relevant part as follows:

> (a) . . . the court may adjudge a person to be a person with a disability, but only if it has been demonstrated by clear and convincing evidence that the person is a person with a disability as defined in Section 11a-2. If the court adjudges a person to be a person with a disability, the court may appoint (1) a guardian of his person, if it has been demonstrated by clear and convincing evidence that because of his disability he lacks sufficient understanding or capacity to make or communicate responsible decisions concerning the care of his person, or (2) a guardian of his estate, if it has been demonstrated by clear and convincing evidence that because of his disability he is unable to manage his estate or financial affairs, or (3) a guardian of his person and of his estate.
>
> (b) Guardianship shall be utilized only as is necessary to promote the well-being of the person with a disability, to protect him from neglect, exploitation, or abuse, and to encourage development of his maximum self-reliance and independence. Guardianship shall be ordered only to the extent necessitated by the individual's actual mental, physical and adaptive limitations.

Clear and convincing evidence "is 'that quantum of proof which leaves no reasonable doubt in the mind of the trier of fact of the truth of the fact in issue.'"

A person with a disability is defined as follows:

> a person 18 years or older who (a) because of mental deterioration or physical incapacity is not fully able to manage his person or estate, or (b) is a person with mental illness or a person with a developmental disability and who because of his mental illness or developmental disability is not fully able to manage his person or estate, or (c) because of gambling, idleness, debauchery or excessive use of intoxicants or drugs, so spends or wastes his estate as to expose himself or his family to want or suffering, or (d) is diagnosed with fetal alcohol syndrome or fetal alcohol effects.

It is important to note that "to simply establish certain disabilities is alone insufficient to support the determination of incompetency, the evidence must also show the respondent's incapability of managing her person or estate."

Moreover, "[t]he capability to manage

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one's person does not resolve itself upon the question of whether the individual can accomplish tasks without assistance but rather whether that individual has the capability to take care and intelligently direct that all his needs are met through whatever device is reasonably available under the circumstances." "[A]lthough a person may be disabled in the statutory sense of not being fully able to manage his person, a disabled person still could direct others in such activity and therefore would not necessarily need a guardian over his person."

In *McPeak,* for example, the appellate court affirmed the finding that the alleged disabled adult, "by purposefully entering a nursing home and executing power of attorney in her son, showed herself to be capable to protect herself and her property by intelligently and responsibly exercising her rights and recognizing her limitations."

In *In re Estate of Kusmanoff,* 2017 IL App (5th) 160129, ¶ 85, 83 N.E.3d 1144, 1172, the appellate court reversed the finding that respondent required a guardian of her person where "[t]here is no clear and convincing evidence in the record from which the circuit court could conclude that MaryLou's mild to moderate cognitive deficits, manifesting as short-term forgetfulness and periods of confusion, prevent MaryLou from communicating to others regarding her desires with respect to her living arrangements and the direction of her care" and noting the "relatively high standard to appoint a guardian of the person."

In short, "a person might be a 'disabled person' but nevertheless not be in need of a guardian over his estate, because, with help from others he is able to direct and manage his affairs and estate."

Section 11a-9 of the Act, 755 ILCS 5/11a-9, also indicates that a petition for guardianship should be accompanied by a written report from a licensed physician, based on an evaluation conducted within three months of the date the petition is filed. If no report accompanies the petition for guardianship, the court is required to order appropriate evaluations to be performed and a report to be prepared. The Probate Act further directs as follows: "[u]pon the filing of a petition pursuant to Section 11a-8, the court shall set a date and place for hearing to take place within 30 days." The appellate court has recently indicated its concern with a guardianship case which remained pending for nearly a year. The court in *Kusmanoff* noted: "[t]his court is further troubled by the fact that for the majority of the time the petition for guardianship over MaryLou was pending, and temporary guardianship extended, there was no physician's report on file as required by section 11a-9 of the Probate Act."

Overall, the court in any guardianship case must balance the statutory requirement to protect individuals with disabilities, with the directive to encourage each individual's development of maximum self-reliance and independence. It will be interesting to see how the courts maintain this balance in light of these new statutory provisions under the Probate Act, which requires clear and convincing evidence of the need for a guardianship, and the Frail Elderly Individual Family Visitation Protection Act, which does not. ■

1. 755 ILCS 5/11a-17(g)(2); 755 ILCS 5/11a-17(e).
2. *Id.*
3. 750 ILCS 95/10.
4. 750 ILCS 95/25.
5. *Patrick Media Group, Inc. v. City of Chicago*, 255 Ill. App. 3d 1, 6, 626 N.E.2d 1066, 1070 (1st Dist. 1993).
6. 755 ILCS 5/11a-2.
7. *Matter of McPeak's Estate*, 53 Ill. App. 3d 133, 136, 368 N.E.2d 957, 960 (5th Dist. 1977); see also *Matter of Mackey's Estate*, 85 Ill. App. 3d 235, 238, 406 N.E.2d 226, 230 (3d Dist. 1980) (noting that the conclusions reached in *McPeak* and similar cases on this point were made "an express part of the statutory scheme for appointed guardians for disabled adults" with the amendments to the statute in 1979).
8. *McPeak, supra* note 7 at 960.
9. *In re Estate of Fallos*, 386 Ill. App. 3d 831, 839-40, 898 N.E.2d 793, 799-800 (4th Dist. 2008) (further noting "just how difficult it is to establish that a respondent completely lacks the ability to make or communicate responsible decisions regarding the care of his person, such that he would need a plenary or even a limited guardian").
10. *Id.*; see also *Fallos*, *supra* note 6 at 799-800 (remanding for the court to consider a more limited guardianship for individual with severe physical disabilities and who had fallen in his home and not been found for three days); *Galvin's Estate v. Galvin,* 112 Ill. App. 3d 677, 682, 445 N.E.2d 1223, 1226 (1st Dist. 1983) (affirming trial court's refusal to appoint guardian for individual who had a heart condition, organic brain syndrome and suffered hallucinations).
11. *Mackey's Estate*, *supra* note 7 at 230.
12. 755 ILCS 5/11a-9(b).
13. 755 ILCs 5/11a-10(a).
14. *In re Estate of Kusmanoff*, 2017 IL App (5th) 160129, ¶ 77, 83 N.E.3d 1144, 1170.
15. *Id.* at ¶ 78, 1170.

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evidentiary admissions may be explained by the party who made the statement.

Therefore, a statement is not a judicial admission when it was made in the course of another proceeding. It, therefore, would be considered an evidentiary admission that may be admitted in a different case, but to undermine and challenge the credibility of the witness. Both types of admissions are very useful in litigation and counsel will want to know if the person making a statement regarding a relevant fact, ever made a statement about that same fact in another forum. Any and all such prior statements should be investigated and analyzed for possible impeachment and defense purposes. Contradictory statements are evidentiary admissions and can be very useful when facts regarding material issues in a case are highly disputed. ■

Top 10 tips for an effective settlement conference

BY HON. ANNA M. BENJAMIN

There are few more effective techniques when negotiating the resolution of a case than to hear directly from the decision-maker how he or she might rule on a given issue. While there are few guidelines for conducting settlement conferences with the judge in civil cases, there are ways to make a settlement conference more effective. Often, informal settlement conferences are held with attorneys and the judge in chambers, perhaps with the parties present as well, especially if one party is not represented by an attorney. While there are provisions for settlement conferences in criminal cases, this article focuses only on civil cases, particularly in the area of family law. Make sure you are aware of your court's local protocol on settlement conferences, if they are allowed, how they are conducted, and the potential consequences of utilizing this option.

1. Know when to have a settlement conference

A settlement conference with the court is best conducted after it has become clear that one or more issues are preventing the parties from coming to an agreement on their own. This means that it is usually more helpful to have a settlement conference closer to a contested hearing or trial. This can still be done before the parties incur substantial attorneys' fees on case dispositive motions or temporary hearings, but after the attorneys know the issues that are likely to be in dispute. If possible, the settlement conference should not be held so late in the process that the parties are prepared (emotionally and financially) to take the case to trial regardless.

2. Discuss the process with your client

If settlement conferences are typical in your area of practice, consider letting clients know at one of your first meetings that this is an option, and what it entails. Follow up by letter or email to your client once you determine that a settlement conference is the next best step. Discuss whether the parties will be present at the settlement conference, where it will be held, and whether it will be on or off the record. Inform your client, if you can, about the court's protocol for allowing a substitution of judge after a settlement conference.

3. Confirm the agreement to conduct a settlement conference

To avoid potential problems later, confirm your client's agreement to conduct a settlement conference while both parties and attorneys are present at a pretrial hearing. This confirmation on the record may help clarify everyone's expectations ahead of the conference and could also give the judge insight into the issues that need to be addressed during the settlement conference. Additionally, this is a critical step if you are unaware of whether your particular judge allows settlement conferences or not.

4. Have a plan

While it may be tempting to discuss every possible issue in the case with the judge during a settlement conference, that may not be realistic considering the court's availability and the stage of the case at the time. Focusing on particular issues will enable you to make the most efficient use of your time and the court's. Additionally, if you can discuss the issues with opposing counsel ahead of time, you are less likely to be surprised and, consequently, you will be better prepared for the conference. You should also plan whether your client will be present at the courthouse while the settlement conference is conducted, even if he or she does not attend the settlement conference itself.

5. Know your case

Obviously, attorneys have many clients and may need to refer to a file for a specific piece of information about the case. That said, it is extremely helpful to have basic details written down on one page of paper (or screen) that you can refer to quickly and easily. A paralegal or legal assistant could assist in preparing a basic summary of the parties' ages, employment, income, children, and the like, depending on what is relevant. Additionally, you should have a good idea of your client's goals in any settlement. If you have not had detailed conversations about his or her expectations, you will be less likely to have a productive conversation.

6. Know the law

This probably goes without saying for any hearing; however, it is just as true for a settlement conference as it is for a substantive hearing. If there are relevant statutes or case law on point, bring copies with you so that you can accurately cite them to the court. Saying that you know that there has been a decision on a lesser known aspect of the law, but not having it with you to cite, is always less convincing.

7. Act courteously toward your fellow attorney

At its best, a settlement conference is a fantastic opportunity for the lawyers and the judge to talk informally about the most important aspects of the case. Usually, it is off the record and outside the presence of the clients, so there is no reason to put on a show. Be a zealous advocate, certainly, and make your points firmly, but always be civil. Do not interrupt opposing counsel and do not be overly critical of his or her presentation. Remember that the practice of law is difficult enough as it is, without

personal attacks. Additionally, if you wish to show any documents to the judge, make sure to let opposing counsel know first. You would, no doubt, appreciate the same courtesy.

8. Act courteously toward the judge and courthouse staff

Similarly, be respectful of the opportunity to speak with opposing counsel and the judge in chambers. Remember that there is a difference between making an argument and being argumentative. Once you have made your presentation, focus on listening. You may learn something, and, regardless, you are unlikely to change anyone's mind by being disrespectful. Additionally, treat courthouse staff with kindness, and do not overly distract them from their other responsibilities.

9. Take good notes

Key in on the both the arguments made by opposing counsel, as well as the suggestions from the judge. You may learn facts about the case that you did not know before (shockingly, some clients are not forthcoming about things they know could hurt their case), and you obviously want to keep track of any settlement ranges, calculations and relevant case law, for review later. Do not assume that you will remember the conversation perfectly after you talk to your client about it, think about other pressing cases, and then sleep on it. You won't.

10. Know when to stop

Just as important as knowing the most effective time to have a settlement conference is the ability to know when the settlement conference should be over. Sometimes, the timing is dictated simply by availability. Other times, it can become clear that additional conversation is not going to move the negotiation forward. Certainly, if it has digressed into shouting, personal attacks, or if it has strayed widely from the current issues at hand, it is time to end the conference. Finally, once the judge has made recommendations, you are unlikely to get a different result short of putting on your evidence at trial.

In sum, prepare for a settlement conference in much the same way you would any other hearing: by working with your client, doing your research, and making an effective presentation. Be an advocate, but be mindful of the fact that attorneys (and judges for that matter) may not be as willing to conduct settlement conferences with you in the future if you cannot be civil. Make effective use of the conference by focusing on certain issues, listening and taking what you learned back to your client. Done right, a settlement conference with the court and opposing counsel is an excellent tool to assist with negotiations that appear to be deadlocked. ■

The Intermediary Program – A 40 year uncompleted project of the Illinois State Bar Association

BY MICHAEL S. JORDAN

I have been affiliated with the Bench & Bar Section Council of the ISBA since 1975 when it was then designated as the Judicial Administration Section Council. I was appointed to serve as an assistant editor of the section council newsletter by former Judge Eugene Wachowski and Justice Glenn T. Johnson, the outgoing and incoming chairs of the section council, to serve with now retired Judge Dennis Dohm, the long-time newsletter editor for the section council's newsletter. I later served as a co-editor with Judge Dohm until becoming chair of the section council when Judge Dohm and I gave up the responsibilities of editing and I had the opportunity to select Judge Al Swanson (ret.) to replace us. Judge Swanson also became another long-serving editor.

I continued to serve on the section council with only one year off the roster until the present time. It has, therefore, been my privilege over the past 43 years to be working with the best and brightest lawyers and judges from all parts of our state on this section council. I have seen many of the younger lawyers move up in the ranks becoming prominent in their practices and had the opportunity to work with many leaders of our profession including several supreme court justices, including the present chief justice. In fact, the present chief justice, Lloyd Karmeier, succeeded me as chair of the Bench & Bar Section Council a number of years ago when he was on the appellate court. He continues to serve as an active member of the section council. All of the many members have worked hard to better the administration of justice in Illinois to insure fairness, open access, and civility.

In the 1975-76 bar year, the section council received reports out of Champaign County of a useful informal intermediary/ ombudsman program implemented by one highly regarded and conscientious man,

William Brinkman, who served the legal community there as a confidential facilitator to convey non-ethical concerns by lawyers to judges to better ease the administration of justice allowing judges to know when their actions brought discomfort or disrupted rather than aided the administration of justice and civility.

Matters were conveyed by Brinkman without attribution to the source in an effort to preclude unintended acts, such as creating bias for the reporting lawyer. He entertained complaints about various items and topics including possible sexist, racist, or ethnic remarks and he tried to better prompt more respect for all. His messages from lawyers were designed to encourage prompt decision-making and dealt with other concerns as well. The communications through Brinkman were not focused on ethical matters covered by the ARDC or the Judicial Inquiry Board, but dealt with other issues in a way that judges could learn of the lawyers' concerns without having ex parte communications in the process. A judge hearing the message of concern could take corrective action or ignore the message. The skills of the intermediary encouraged the recipient of the information to listen attentively and take the message to heart, and alter his or her conduct. The program was successful and after awhile there were fewer needs for intervention since the messages were respected and annoying conduct was rarely repeated.

The Bench & Bar Section Council concluded that a variation of the program ongoing in Champaign would be useful in all other counties and circuits and that it might be useful if the messages could be two-directional allowing lawyers to continue to convey messages of concern on non ethical issues not dealing with the merits of cases to judges, but also to allow judges to convey similar matters to lawyers in a non-confrontational manner and, where possible, without attribution to any particular judge. Later consensus by members of the Bench Bar Section Council brought thoughts of expanding any programs in the state to address lack of civility involving lawyer-to-lawyer interactions as well.

The Bench & Bar Section Council urged members—lawyers and judges—to initiate programs in their own local courts with the involvement of local bar associations. It was recognized that for lawyers to participate in any such program, certain safeguards had to be installed. An intermediary had to be protected by law or court rules to insure confidentiality and provide protection for liability with indemnification. Over the years, many steps were taken by the courts and the ISBA. The supreme court rule protecting interveners in the Lawyer Assistance Program (LAP) was expanded to protect any such intermediary in a court approved program. During the May 2006 term of the supreme court, Rule 1.6(e) of the Rules of Professional Conduct was amended to provide confidentiality protection for those in intermediary programs in response to the request of our section council's leadership.

Until this last year, the leadership of the ISBA, especially under President Robert Downs, made it the policy of the ISBA to support these intermediary programs and attempt expansion. Also, the ADR Section Council joined Bench & Bar in its efforts since advocacy for resolution of conflicts in a peaceful manner is always at the forefront of their activities.

At the urging of our section council, several circuit courts around the state issued general orders and rules to initiate intermediary programs. Some of the largest counties—Lake, (19thth Judicial Circuit), Du Page (18thth Judicial Circuit), and Winnebago (17thth Judicial Circuit)—as well as some of the smallest put these programs in place with prompt action accompanying Champaign County, including the 4th Judicial Circuit and others.

When the Bench & Bar Section Council recognized that a statewide court intermediary program implemented on a circuit administered basis for all counties and circuits in the state was not possible, the section council approached the Illinois Supreme Court Commission on Professionalism. Though overwhelmingly supportive of the program and its purpose, the Commission at that time did not have the resources to take it on itself. So the section council decided that the most logical home for administering the intermediary program would be the only statewide bar association in Illinois—the ISBA.

After years of further refinement, when the intermediary program was presented to the ISBA Board of Governors, some members objected to having the ISBA act as administrator. Some feared there would be excessive costs for such a program, ignoring the arguments made that volunteers from the Bench & Bar Section Council would be giving of their time without expense to the ISBA. Opponents also objected that the program would benefit non-member judges and lawyers, not seeing that the beneficial results would make practice better for all lawyers, most of whom are ISBA members. To the contrary, this program would benefit the administration of justice for our citizens. What is the function of the ISBA if not to ensure the fair and efficient administration of justice in the courts with civility and respect for all. The program also had the potential of recruiting more members. At present, any desired action to implement a statewide program under the sponsorship of the ISBA is at a standstill.

Attitudes must change before the inertia will abate, or new leadership must emerge in the bar association and in the court. Having previously served on the Judical Evaluations Committee of the ISBA in Cook County for several years, I observed how some judges were surprised by questions about some of the elements of their conduct and they were then rated unqualified or not recommended. If an intermediary program were in place with intermediaries periodically advising them of objectionable conduct on their part so that they could choose to make corrections, not only would the conduct of those errant judges be remediated, but some of those judges might have received approving recommendations from the ISBA rather than the not recommended blemish. Cook County accounts for about one half of the judges in our state court system who, consequently, have no access to any intermediary program.

Just like no one person has impeded or been the sole obstacle for this program's full implementation, no one person is responsible for the creation or design of

the intermediary program. Many people over the years have been driving forces to provide such a useful program. I consider all of the people listed below as partners in attempts to make the courts better for all. In addition to the first known intermediary, William Brinkman, many other advocates came forth for the intermediary program.

In addition to ISBA Past President Bob Downs, the board serving under him, and Chief Justice Lloyd Karmeier, the names of others in the section council or in various courts come to mind, including past chairs Willis Tribler, Michael B. Hyman, Judge James Karahalios, Paula Holderman, and Judge Jackqueline Cox; retired Lake County Judge Margaret Mullen; former chief judge in Rockford – Winnebago County 17th Circuit and now appellate court justice in the 2nd district, Kathryn E. Zenoff, and her colleague on that court from DuPage County, Justice Ann Jorgensen, a long-time active member and chair of the section council. Recognition is given as well to the current leadership of the section council chair, David Inlander, and vice chair, Judge Stephen Pacey. There are many other past chairs of the section council who were greatly supportive of the program and made their own splendid contributions.

Apologies are offered to many fine people for omitting their names, but recognizing they offered many constructive comments and took many useful actions to create an effective intermediary program. Also, thanks go to the scores, if not hundreds, of section council members who voted in support of the various reiterations of the program over the years. Likewise, thanks are given to the many members of the various local bar associations who served in varying ways to implement programs in their respective areas.

Active subcommittee members in recent years, giving voice to the program, were Jayne Reardon, who also serves on the Supreme Court Commission on Professionalism, and Judge Debra Walker, a leader of the Commission. The hardworking efforts of Supreme Court Justice Robert R. Thomas, the court's liason to the Commision, were greatly appreciated as well. Over the years other justices on the Bench & Bar Section Council were supportive as well, including Justice Howard C. Ryan, Justice Thomas J. Moran, Justice James D. Heiple, and Justice Benjamin K.Miller.

Our former board liaisons, including Albert Durkin most recently, have articulated our position as well on our behalf to the Board. Lastly, thanks to another friend, Hon. Edward Schoenbaum, our current newsletter editor, who has supported the program as a member, officer, and chair.

The efforts of so many dedicated members of the local bar associations, the courts, and the ISBA should not be ignored by the current leadership of the ISBA. We can only hope the current members of the ISBA leadership will change their attitudes or we will have to work for the leadership to change. Inertia will persist until action takes place. We wish to reach the day when we can all celebrate that a great program is in place throughout the entire state. ■

Recent appointments and retirements

1. Pursuant to its Constitutional authority, the supreme court has appointed the following to be circuit judge:

- Raylene Grischow, 7th Circuit, January 7, 2019
- Gail L. Noll, 7th Circuit, January 7, 2019
- Jonathan C. Wright, 11th Circuit, January 7, 2019
- Michael A. Strom, Cook County Circuit, 9th Subcircuit, January 10, 2019
- Lynn Weaver-Boyle, Cook County Circuit, January 11, 2019
- Gerado Tristan, Jr., Cook County Circuit, 14th Subcircuit, January 11, 2019
- James T. Derico, Jr., Cook County Circuit, January 18, 2019
- Kerrie Maloney Laytin, Cook County Circuit, January 18, 2019
- Celestia L. Mays, Cook County Circuit, January 25, 2019

2.The circuit judges have appointed the following to be associate judge:

- Douglas E. Lee, 15th Circuit, January 2, 2019
- Brian L. Bower, 5th Circuit, January 3, 2019
- Colleen R. Lawless, 7th Circuit, January 4, 2019
- Julia A. Yetter, 16th Circuit, January 16, 2019
- Scott Sliwinski, 21st Circuit, January 18, 2019
- Jeffrey K. Watson, 20th Circuit, January 18, 2019
- Scott Kording, 11th Circuit, January 22, 2019
- Patricia L. Cornell, 19th Circuit, January 24, 2019
- Casey Bloodworth, 1st Circuit, January 25, 2019
- Roger B. Thomson, 8th Circuit, January 25, 2019

3. The following judges have retired:

- Hon. William Robin Todd, 4th Circuit, January 18, 2019
- Hon. Brian R. McKillip, Associate Judge, 18th Circuit, January 24, 2019
- Hon. Diane Joan Larsen, Cook County Circuit, January 25, 2019
- James P. McCarthy, Cook County Circuit, January 28, 2019
- Thomas R. Allen, Cook County Circuit, 10th Subcircuit, January 30, 2019
- Lori R. Lefstein, 14th Circuit, January 30, 2019

4.The following judge has been reinstated:

- Hon. Jeffrey S. MacKay, Associate Judge, 18th Circuit, January 2, 2019 ■