

**FILED**  
MAY 29 2015  
CLERK OF THE CIRCUIT COURT #5  
THIRD JUDICIAL CIRCUIT  
MADISON COUNTY, ILLINOIS

IN THE CIRCUIT COURT  
THIRD JUDICIAL CIRCUIT  
MADISON COUNTY, ILLINOIS

In Re All Madison County Asbestos

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**ORDER**

The matter of the implementation of jury trials as well as payment and acceptance of jury fees has come before the court in light of the legislature passing 735 ILCS 5/2-314, relating to 6-person juries, which takes effect June 1, 2015.

It has been the court's and circuit clerk's practice, and believed to be their obligation, to accept one payment for the 12-person jury fee from one party. It has never been a practice to require more than one party to pay the fee and the court does not believe the new law cited above changes the court's or circuit clerk's obligations relating to collection of fees. The court and circuit clerk believe that they should not accept more than one fee based on the guidance of 1980 Ill. Atty. Gen. Op. 138, 1980 WL 26155. The court and circuit clerk do not believe that the new law changes their obligation or practice. The court believes it is imperative to the prompt administration of justice to clarify and define the court's position.

**IT IS THEREFORE HEREBY ORDERED** that in all jury trials for cases filed before June 1, 2015, the parties shall be entitled to a jury of 12 jurors so long as any one party timely demanded and paid the jury fee for a jury of 12; regardless of whether the fee is paid prior to June 1, 2015. Specifically, parties that have not yet answered or paid the fee in cases filed before June 1, 2015, where a jury demand fee is yet to be paid, shall be entitled to a jury of 12 if one party timely demands and pays the fee prior to trial even if such payment is after June 1, 2015.

DATED:

5/29/15

Judge

*Steph A. Stoll*