

P/C	Probable Cause
PCS	Possession of a Controlled Substance
PDA	Public Defender Appointed
PD to W/D	Public Defender to Withdraw
Pet. Dism.	Petition Dismissed
PO	Probation Officer
Prob.f	Probation
PSMV	Possession of a Stolen Motor Vehicle
Pub.	Publication on...
R/C	Release to Custody of...
RDT	Respondent Demands Trial
Res. Burg.	Residential Burglary
Rest.	Restitution
Robb.	Robbery
RTD	Reserve Trial Date
RUR	Release Upon Request to...
S/A	Station Adjustment
SJJ	Stipulate to Juvenile Jurisdiction
Soc. or SI	Social Investigation
SOJ	Substitution of Judge
SOL	Stricken Off with Leave to Reinstate

F VOP, F VOS	Finding of Violation of Probation or Finding of Violation of Supervision
GAL	Guardian Ad Litem
H/C	Hold in Custody
HOC	Hold on Call
I/C or IC	In Court
IPS	Intensive Probation Services
JAW	Juvenile Arrest Warrant
JTDC	Juvenile Temporary Detention Center
JJ	Juvenile Jurisdiction
Mo, MoIC	Mother, Mother in court
MRAI	Minor Requiring Authoritative Intervention
M/R	Motion Respondent
mr	Minor Respondent
M/S	Motion State
MOD	Mutual Order of Discovery
MTS	Motion of Supress
MFUIN	No Finding of Urgent and Immediate Necessity
NOC	Not on Call
N P/C	No Probable Cause
OACP	Order to Amend Complaint or Petition

Den	Denial of the charges
DCFS	Department of Children and Family Services
DCS	Delivery of a Controlled Substance
Dec.	Deceased
Dis. Cond.	Disorderly Conduct
Disc.	Discovery
Disp.	Disposition
DOC	Department of Corrections
EW	Eye Witness
EWIC, EWNIC	Eye Witness in court, Eye Witness not in court
Fa.	Father
Fdg.	Finding
Fdg.Del	Finding of Delinquency
FIC	Father in court
F No P/C	Finding no Probable Cause
FNUIN	Finding of no Urgent and Immediate Necessity
Forg.	Forgery
F P/C	Finding Probable Cause
FUIN	Finding of Urgent and Immediate Necessity

## Explanatory Note

*The general rules of article I of these rules, beginning with Supreme Court Rule 1, apply to both civil and criminal proceedings.*

## PART A. WAIVERS AND PLEAS

## Rule 101. Waiver of Counsel

(a) **Waiver of Counsel.** Any waiver of counsel shall be in open court. The court shall not permit a waiver of counsel by a person accused of an offense punishable by imprisonment without first, by addressing the defendant personally in open court, informing him of and determining that he understands the following:

- (1) the nature of the charge;
- (2) the minimum and maximum sentence prescribed by law, including, when applicable, the penalty to which the defendant may be subjected because of prior convictions or consecutive sentences; and
- (3) that he has a right to counsel and, if he is indigent, to have counsel appointed for him by the court.

(b) **Transcript.** The proceedings required by this rule to be in open court shall be taken verbatim, and upon order of the trial court transcribed, filed and made a part of the common law record.

Amended June 1970, eff. Sept. 1, 1970; June 28, 1974, eff. Sept. 1, 1974; amended eff. Nov. 1, 1978; amended April 27, 1984, eff. July 1, 1984.

Formerly Ill.Rev.Stat.1991, ch. 110A, § 401.

## Rule 102. Pleas of Guilty or Stipulations Sufficient to Convict

In hearings on pleas of guilty, or in any case in which the defense offers to stipulate that the evidence is sufficient to convict, there must be substantial compliance with the following:

(a) **Admonitions to Defendant.** The court shall not accept a plea of guilty or a stipulation that the evidence is sufficient to convict without first, by addressing the defendant personally in open court, informing him of and determining that he understands the following:

- (1) the nature of the charge;
- (2) the minimum and maximum sentence prescribed by law, including, when applicable, the penalty to which the defendant may be subjected because of prior convictions or consecutive sentences;
- (3) that the defendant has the right to plead not guilty, or to persist in that plea if it has already been made, or to plead guilty; and
- (4) that if he pleads guilty there will not be a trial of any kind, so that by pleading guilty he waives the right to a trial by jury and the right to be confronted with the witnesses against him; or that by stipulating the evidence is sufficient to convict, he waives the right to a trial by jury and the right to be confronted with any witnesses against him who have not testified.

(b) **Determining Whether the Plea is Voluntary.** The court shall not accept a plea of guilty without first determining that the plea is voluntary. If the tendered plea is the result of a plea agreement, the agreement shall be stated in open court. The court, by questioning the defendant personally in open court, shall confirm the terms of the plea agreement, or that there is no agreement, and shall deter-

mine whether any force or threats or any promises, apart from a plea agreement, were used to obtain the plea.

(c) **Determining Factual Basis for Plea.** The court shall not enter final judgment on a plea of guilty without first determining that there is a factual basis for the plea.

(d) **Plea Discussions and Agreements.** When there is a plea discussion or plea agreement, the following provisions, in addition to the preceding paragraphs of this rule, shall apply:

- (1) The trial judge shall not initiate plea discussions.

(2) If a tentative plea agreement has been reached by the parties which contemplates entry of a plea of guilty in the expectation that a specified sentence will be imposed or that other charges before the court will be dismissed, the trial judge may permit, upon request of the parties, the disclosure to him of the tentative agreement and the reasons therefor in advance of the tender of the plea. At the same time he may also receive, with the consent of the defendant, evidence in aggravation or mitigation. The judge may then indicate to the parties whether he will concur in the proposed disposition; and if he has not yet received evidence in aggravation or mitigation, he may indicate that his concurrence is conditional on that evidence being consistent with the representations made to him. If he has indicated his concurrence or conditional concurrence, he shall so state in open court at the time the agreement is stated as required by paragraph (b) of this rule. If the defendant thereupon pleads guilty, but the trial judge later withdraws his concurrence or conditional concurrence, he shall so advise the parties and then call upon the defendant either to affirm or to withdraw his plea of guilty. If the defendant thereupon withdraws his plea, the trial judge shall recuse himself.

(3) If the parties have not sought or the trial judge has declined to give his concurrence or conditional concurrence to a plea agreement, he shall inform the defendant in open court at the time the agreement is stated as required by paragraph (b) of this rule that the court is not bound by the plea agreement, and that if the defendant persists in his plea the disposition may be different from that contemplated by the plea agreement.

(e) **Transcript.** In cases in which the defendant is charged with a crime punishable by imprisonment in the penitentiary, the proceedings required by this rule to be in open court shall be taken verbatim, and upon order of the trial court transcribed, filed, and made a part of the common law record.

(f) **Plea Discussions, Plea Agreements, Pleas of Guilty Inadmissible Under Certain Circumstances.** If a plea discussion does not result in a plea of guilty, or if a plea of guilty is not accepted or is withdrawn, or if judgment on a plea of guilty is reversed on direct or collateral review, neither the plea discussion nor any resulting agreement, plea, or judgment shall be admissible against the defendant in any criminal proceeding.

Adopted June 1970, eff. Sept. 1, 1970. Amended eff. Sept. 17, 1970; amended Jan. 5, 1981, eff. Feb. 1, 1981; May 20, 1997, eff. July 1, 1997.

Formerly Ill.Rev.Stat.1991, ch. 110A, § 402.

## Rule 403. Pleas and Waivers by Person Under 18

A person under the age of 18 years shall not, except in cases in which the penalty is by fine only, be permitted to

## Appendix PP

This is a copy of the Waivers and Pleas section found in West's Illinois Criminal Laws and Procedures. The judge must follow the guidelines listed when accepting a defendant's plea of guilty. The intern heard the judge recite this every Monday in court.

SENTENCES

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Adopted June 1970, eff. Sept. 1, 1970. Amended Aug. 9, 1983, eff. Oct. 1, 1983.

Formerly Ill.Rev.Stat.1991, ch. 110A, ¶ 403.

**Rules 404 to 410. Reserved**

## PART B. DISCOVERY

### REVISED RULES AS TO DISCOVERY IN CRIMINAL CASES

#### ORDER ADOPTING SUPREME COURT RULES FOR DISCOVERY AND PROCEDURE BEFORE TRIAL IN CRIMINAL CASES

Rules 411-415 are adopted effective October 1, 1971. The committee comments to these rules are ordered filed. These rules govern all further proceedings in cases then pending, except when, in the opinion of the trial, Appellate or Supreme Court, the application of the new rules in a particular case then pending would not be feasible or would work an injustice, in which case former procedures apply.

Present Rule 411 (Voir Dire Examination) and present Rule 412 (Opening Statements) are redesignated Rules 431 and 432, respectively. Rules 416 through 430 and Rules 433 through 450 remain reserved.

#### Rule 411. Applicability of Discovery Rules

These rules shall be applied in all criminal cases wherein the accused is charged with an offense for which, upon conviction, he might be imprisoned in the penitentiary. They shall become applicable following indictment or information and shall not be operative prior to or in the course of any preliminary hearing.

Adopted eff. Oct. 1, 1971.

Formerly Ill.Rev.Stat.1991, ch. 110A, ¶ 411.

#### Rule 412. Disclosure to Accused

(a) Except as is otherwise provided in these rules as to matters not subject to disclosure and protective orders, the State shall, upon written motion of defense counsel, disclose to defense counsel the following material and information within its possession or control:

(i) the names and last known addresses of persons whom the State intends to call as witnesses, together with their relevant written or recorded statements, memoranda containing substantially verbatim reports of their oral statements, and a list of memoranda reporting or summarizing their oral statements. Upon written motion of defense counsel memoranda reporting or summarizing oral statements shall be examined by the court *in camera* and if found to be substantially verbatim reports of oral statements shall be disclosed to defense counsel;

(ii) any written or recorded statements and the substance of any oral statements made by the accused or by a codefendant, and a list of witnesses to the making and acknowledgment of such statements;

(iii) a transcript of those portions of grand jury minutes containing testimony of the accused and relevant testimony of persons whom the prosecuting attorney intends to call as witnesses at the hearing or trial;

(iv) any reports or statements of experts, made in connection with the particular case, including results of physical or mental examinations and of scientific tests, experi-

ments, or comparisons, and a statement of qualifications of the expert;

(v) any books, papers, documents, photographs or tangible objects which the prosecuting attorney intends to use in the hearing or trial or which were obtained from or belong to the accused; and

(vi) any record of prior criminal convictions, which may be used for impeachment, of persons whom the State intends to call as witnesses at the hearing or trial.

If the State has obtained from the defendant pursuant to Rule 413(d) information regarding defenses the defendant intends to make, it shall provide to defendant not less than 7 days before the date set for the hearing or trial, or at such other time as the court may direct, the names and addresses of witnesses the state intends to call in rebuttal, together with the information required to be disclosed in connection with other witnesses by subdivisions (i), (iii) and (vi), above, and a specific statement as to the substance of the testimony such witnesses will give at the trial of the cause.

(b) The State shall inform defense counsel if there has been any electronic surveillance (including wiretapping) of conversations to which the accused was a party, or of his premises.

(c) Except as is otherwise provided in these rules as to protective orders, the State shall disclose to defense counsel any material or information within its possession or control which tends to negate the guilt of the accused as to the offense charged or would tend to reduce his punishment therefor.

(d) The State shall perform its obligations under this rule as soon as practicable following the filing of a motion by defense counsel.

(e) The State may perform these obligations in any manner mutually agreeable to itself and defense counsel or by:

(i) notifying defense counsel that material and information, described in general terms, may be inspected, obtained, tested, copied, or photographed, during specified reasonable times; and

(ii) making available to defense counsel at the time specified such materials and information, and suitable facilities or other arrangements for inspection, testing, copying and photographing of such material and information.

(f) The State should ensure that a flow of information is maintained between the various investigative personnel and its office sufficient to place within its possession or control all material and information relevant to the accused and the offense charged.

(g) Upon defense counsel's request and designation of material or information which would be discoverable if in the possession or control of the State, and which is in the possession or control of other governmental personnel, the State shall use diligent good faith efforts to cause such material to be made available to defense counsel; and if the State's efforts are unsuccessful and such material or other governmental personnel are subject to the jurisdiction of the court, the court shall issue suitable subpoenas or orders to cause such material to be made available to defense counsel.

(h) **Discretionary disclosures.** Upon a showing of materiality to the preparation of the defense, and if the request is reasonable, the court in its discretion may require disclosure to defense counsel of relevant material and information not covered by this rule.

(i) **Denial of disclosure.** The court may deny disclosure authorized by this rule and Rule 413 if it finds that there is substantial risk to any person of physical harm, intimidation,

**Appendix QQ**

This is information for the Probation Department of the Cook County Juvenile Court.  
The Defender Office frequently works with the Juvenile Court and its probation officers.

**CIRCUIT COURT OF COOK COUNTY  
JUVENILE PROBATION DEPARTMENT  
FACT SHEET**

**POSITION:** PROBATION OFFICER

**MINIMUM REQUIREMENT:** U.S. Citizen  
Bachelor's Degree

**STARTING SALARY:** \$35,345.00 Annually

**INSURANCE BENEFITS:** Medical-Dental-Vision  
Life Insurance Equal to Annual Salary  
Sick Leave, Vacation  
Personal Days

**TRAINING:** Each newly hired probation officer begins with an eight week course during which an actual case (s) including fieldwork, paper work, and court presentations.

The application process involves two steps.

- 1) Application for state eligibility
- 2) Application for position of probation officer to selected county

For further information and applications contact the Cook County Juvenile Probation Department Personnel Office at 312-433-6631.

RMG/dmg

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## COOK COUNTY JUVENILE PROBATION

### INTERNSHIP PROGRAM

As the need to expose students to practical learning experiences in the juvenile justice field became evident, colleges and universities began introducing the field practicum concept and many requests for placement at the Juvenile Court were received in early 1974. Although we had been providing training opportunities and orientation to a few schools and universities over the years, the requests increased to the point that at one time or other we were serving as many as eighteen colleges and universities around the state with one or two out-of-state schools. We were soon forced to develop a structured program, utilizing our regular staff as an assist and courtesy to the colleges and universities.

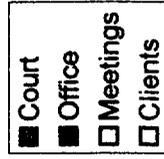
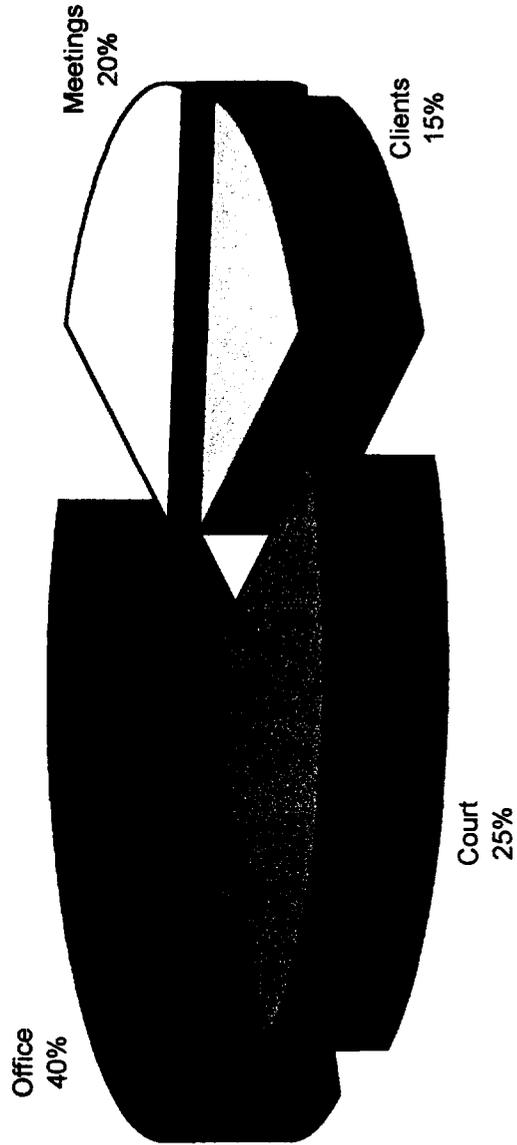
Internships vary from two to three months; field work placements may extend as long as one year. The time spent may also vary from two to five days a week. The desirable and practical model is two days a week; for example, Tuesday and Thursday; Wednesday and Friday, or Monday and Wednesday, rather than two days together. The school and student are expected to work out the number of semester and clock hours needed, the days needed to cover those hours, the preferred days for the internship, and complete the application. The request for a placement must be made by the student. A personal interview with the student follows the written application. Other items that must accompany the application include: resume, recent transcripts and a letter of recommendation from the faculty advisor or field work coordinator.

The initial orientation to the court structure and processes and the auxiliary services located in the Court Building are provided by the Training Division in a group or individually, depending on the number of interns entering at the same time. The interns will then be placed in a field unit under a supervisor, who plans for him/her with the help of members of the unit. Active participation of the intern in working on cases, visiting families in the home, children in detention or other placements and visiting community agencies will depend largely on the length of time the student is at the Court, his/her performance and availability, as well as where we are able to place the intern. We try to place interns in an area requiring the least traveling time and where caseloads and staff are consistent with internship activities.

# Appendix RR

This chart shows where the intern spent her time.

Time Chart



**Appendix SS**

This is an evaluation of the intern by the staff at ECDO.

Appendix E

Evaluation of Student in Internship Program

Name of Student Anne Palubicki

Agency Evanston Community Defender Office

Supervisor Nareen Kim / Robert Roy

Date 7-19-01

I. Description of assignments: Please indicate as specifically as possible the kind and type of work the intern was assigned.

Observed court hearings; observed client interviews in the office, in the field, and in the juvenile detention facility; attended child & adolescent local area network meetings; researched legislative reform process; updated social work service provider contact files; prepared and served subpoenas; answered telephones.

II. Relationships: Evaluate the student in the following areas and indicate both strengths and weaknesses as well as signs of growth you may have observed.

a. Relationships with staff (ability to work with and learn from staff)

Excellent relationship with staff.

b. Ability to use supervision (seeks and uses help, accepts criticism)

Anne was receptive to feedback and any criticism.

- c. How does the intern relate to other people (clients, groups, interviews or conversations, professionals or non-professionals)?

Anne was always very professional and worked well with a wide variety of people.

- d. How do you perceive the student on such characteristics as motivation, dependability, and ability to adjust to changes?

Anne is clearly very motivated to learn and grow. She was extremely dependable and was able to be flexible according to the needs of our office.

III. Personal qualities: Indicate both strengths and weaknesses as well as signs of growth by the student during the time they have been with you.

- a. Sense of responsibility (ability to organize and carry out tasks)

Excellent

- b. Poise and stability

Anne's poise and stability for a junior in college was excellent. She has a very professional and reserved demeanor.

- c. Initiative

Good

- d. Awareness of self and sensitivity to others

Anne was sensitive in her interaction with our clients, as was demonstrated by her work with several handicapped individuals. She is professional, yet in some circumstances reserved and somewhat shy. However, during the course of her internship she showed growth and maturity in this area.

IV. Growth:

- a. Adjustment of student to the agency in terms of understanding structure, organization, administration and services.

Anne worked hard to understand and adjust to the idiosyncracies of our organization, the personalities of the people in it, as well as the people we serve. She has gained an understanding of working in the public interest sector.

V. Mark the blank which best describes the student's work performance.

- a. Willingness to accept supervisor's feedback and benefit from it:

- \_\_\_\_\_ Student actively sought my feedback and showed a capacity to incorporate it into job performance.
- \_\_\_\_\_ Student sought feedback, but sometimes showed little ability to incorporate it into job performance.
- Student did not seek feedback, but listened and incorporated it into performance after it was offered.
- \_\_\_\_\_ Student did not seek feedback and sometimes failed to incorporate it into job performance when it was offered.
- \_\_\_\_\_ I have insufficient basis for evaluation.

- b. Willingness to take initiative:

- \_\_\_\_\_ Student frequently voluntarily took on tasks or responsibilities not specifically assigned.
- Student sometimes voluntarily took on tasks or responsibilities not specifically assigned.
- \_\_\_\_\_ Student seldom took on tasks or responsibilities unless they were specifically assigned.
- \_\_\_\_\_ I have insufficient basis for evaluation.

c. Overall quality of written work:

- Consistently excellent
- Consistently above average
- Above average
- Below average
- I have insufficient basis for evaluation.

d. Overall quality of interaction with clients:

- Consistently showed a high degree of sensitivity to clients and purposefulness when interacting with clients.
- Was frequently able to demonstrate sensitivity to clients through appropriate interactions with them.
- Often had difficulty being at ease with clients and sometimes failed to interact appropriately with them.
- I have insufficient basis for evaluation.

e. Demonstration of professional approach to job performance:

- Consistently demonstrated a high degree of professionalism in attitude and behavior.
- Frequently demonstrated professionalism in attitude and behavior.
- Seldom demonstrated professionalism in attitude and behavior.
- I have insufficient basis for evaluation.

f. Demonstrated growth during placement:

- Excellent growth in abilities shown during placement.
- Good growth in abilities shown during placement.
- Adequate growth in abilities shown during placement.
- Less-than-adequate growth in abilities shown during placement.
- I have insufficient basis for evaluation.

g. Potential as a professional co-worker:

- Excellent
- Good
- Average
- Poor
- I have insufficient basis for evaluation.

h. Please check the phrase below which in your judgment, best describes the overall quality of this student's work performance.

- Work consistently excellent in quality
- Work consistently of good quality
- Work was average in quality
- Work was generally below average in quality

Feel free to add anything that might help clarify your assessment. Also, please let me know if there is anything we could do to make the internship a better experience for your agency, you, or the student.

We would like to thank you for the opportunity of being part of your internship program and we would appreciate any feedback on our agency.

It was a pleasure working with Anne this summer - we hope we have provided an enriching experience to her.